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HONOLULU, H. T., TUESDAY JULY 28, 1903—SEMI-WEEKLY.

WHOLE No. 2507.

## KALAUOKALANI IS PRESIDENT BUT WILCOX IS BOSS

### Home Rule Convention Chooses Officials Without Any Serious Contests.

Kalauokalani as president, but with Wilcox standing premier in the affairs of the party, and with the understanding that he will be the candidate of the party for Delegate next year, was the basis of the agreement, which, it is reported, had been made when the Home Rule convention met in second session yesterday. If the understanding was not reached, at least it looked like it, for everything went through without material conflict.

But if the main event, as contemplated—the election, was not the feature of the day, an announcement of Wilcox's proved. In the course of a speech which he made during the afternoon the former delegate declared that he would present to the convention a memorial addressed to Congress, and which Delegate Kalaniana'ole would be expected to present, requesting the supreme power in the land to grant to Hawaii Independence, with a protectorate, or to make its general government such as was given to Cuba. The announcement was received with applause by the members of the convention, and there seems no reason to believe other than that it will be signed by each of the eighty delegates present.

The convention met in the hall of the party, in Maunakea street, yesterday morning, with a full attendance. There was something like disruption in the air, but the work of the morning was done without discord. The meeting was called to order by President Kalauokalani at 10 o'clock, Secretary Kugihua being present. Representative Olli offered prayer and then after the appointment of Messrs. Abia, Nahini and Mahoe as a committee on credentials, the first recess was had. This was short and the committee's report set forth that the delegates had their credentials in order, and that twenty-four alternates were in attendance. President Kalauokalani, after the reading of the minutes, spoke briefly as to the work to be done. He said the party found it was too weak to carry the election last year, and as a result the County Law of the poor man was turned down, and that of the rich man was passed. However there were some offices which could be filled by the people and if the party would stand together they would win the elections. He called for unity of purpose and action, and told the delegates they should not vote for him unless they were satisfied with what he had done, and had a belief in the efficacy of his work.

Delegate Wilcox was presented to the convention and spoke a few words, saying that the Home Rule party was that of the native Hawaiian while the Republican and Democratic parties were those controlled and ruled by the white men in the country. He asked the delegates to consider well what they were doing in their voting for a leader, and adjuring them to choose the man who would best stand for the people.

The reports of the officers were asked for but there were none ready and this part of the business was put over until a later session.

The room was crowded and it had come the time for the main business, when Keoloha presented a resolution clearing the hall of all others than the delegates and a very few visitors. Those who were to be permitted to remain, according to the resolution, were the delegates and Delegate Kalaniana'ole, former delegate Wilcox, Senator P. P. Wood, Commissioner F. J. Testa, J. P. Makinai, J. M. Poepoe, D. Damiana, David Nolley, Charles Nolley, C. T. Polikapu, W. H. Coner, J. H. Wise, Edgar Cayless, C. P. Iaukea and L. K. Sheldon. Before the question could be put, however, there was a mo-

tion for a recess and this was carried, leaving the resolution in the air.

#### ELECTIONS ARE UNCONTESTED.

The afternoon session proved a surprise to everyone, excepting of course those within the knowledge of the arrangement. When the convention was called to order there was a show of combat. Isaac Keha, of Kona, got the floor first and named Robert Wilcox for president, but he seemed to be alone and no one was ready to second his man. J. B. Kaohi, Jr., named Kalauokalani, and had half a dozen kokuas. Makekau, of Lahaina, was recognized and talked at some length of the necessity for the delegates to be careful in their work, to weigh well the merits of each man and vote for the one who would advance the interests of the native Hawaiians. He suggested unity too, and finally when he had concluded Kanoho moved, and it was carried, that the secretary should cast the ballot of the convention for Kalauokalani, Wilcox smilingly looking on, as he sat beside his late rival for the honor.

This was so successful, and so well pleased were the men who had the convention in hand, that they followed the same course with these officials: Jesse P. Makinai, vice-president; D. M. Kugihua, secretary; Charles Nolley, treasurer, and Wm. Kaleihula, auditor. A. Fernandez was nominated for treasurer, but was withdrawn, leaving a clear field. J. M. Kealoha was nominated for assistant secretary, but action was deferred until later in the convention. There was a contest over the honorary presidents. With three to elect there were five names put before the delegates. The balloting was long but uneventful, the result being as follows, the first three named being elected: Polikapu, 44; Keau, 37; Maille, 35; Manuhii, 29; Kaneali, 17; three scattering.

This opened up a fight which kept the convention in an uproar until the close. Kaalkaula presented a resolution providing that the executive committee consist of sixty-five members, the same as at the present time. This is not in accord with a resolution passed at the last meeting of the island convention, when it was decided that the convention of the party should be changed so that there might be only thirty-five members of this committee. The discussion before the passage of the resolution was long and loud, there being about an equal division of power on the question. But there was an easier way of winning than forcing the fight on the resolution. Kaleihula presented an amendment to the constitution making the number of the committee thirty-five, and Kaalkaula withdrew his motion. Kanoho moved to table the amendment and this was done and at once the proposal to retain the old order was brought out and this time, escaping the table, it won, bringing in its train a long discussion.

Outside members, led by Hul, of Wai-anae, declared that they did not come to town to be played with by the Honolulu men, and as well they declared that the names of the sixty-five men now on the committee should be read for the approval of the convention. It was said that two members of the committee were dead, and one member declared vociferously that the Pake member, Ng Mon War, should be left off. Poepoe said that the members must be chosen by ballot and soon after presented his resignation from the committee. There were a number of nominations to fill vacancies, among them being those of Henry Meheula, J. Kealoha, Peter Makia, Ben Akala, J. A. Akina, and the name of Curtis P. Iaukea was sent up by Nolley but withdrawn. The discussion grew over Poepoe, there being any number of declarations of friendship for him, and protestations that he must not be permitted to quit. Finally to secure peace the matter was permitted to go over to today.

(Continued on page 4.)

## ATTORNEY MAGOON ON TRIAL FOR MISCONDUCT

### George A. Davis Not Allowed to Butt In Before His Turn—How John K. Sumner Pungled Up From Fear.

The second series of disbarment trials before the Supreme Court started yesterday with the case of J. A. Magoon. Both were called together shortly before noon, at the close of the memorial proceedings, but neither case was then quite ready. Attorney General Andrews had not received service of the answer in either case. Mr. Magoon said his answer was at that moment barely completed. Mr. Davis was surprised to learn that his answer had not been served on the Attorney General, he having left it at the police station at 9 o'clock Saturday night. He then lent the Attorney General a copy of the document, asking him to return one of the copies because the typewriting came high. Mr. Andrews did not wish to proceed with the cases until he could have time to peruse the answers.

Mr. Davis, in a mild and pleading tone, begged that his trial should not occupy any morning time, as he wished to attend to his duties of District Magistrate to the best of his ability until the Governor returned. Chief Justice Frear, after a word with his colleagues, announced that Mr. Magoon's case would be called for trial at 1:30 P. M. and that of Mr. Davis would follow and continue until the case was submitted. He had remarked, in answer to Mr. Davis, that there was another District Magistrate. Mr. Davis received the order of the Court with the remark that then he would have to hold his court at 8 o'clock in the morning.

### MAGOON FILES HIS ANSWER

J. A. Magoon filed his answer to the information laid against him by the Attorney-General shortly before his case was called for trial.

#### SPONSORS PETERS

At the outset he says he does not feel aggrieved that his late partner, E. C. Peters, was not included in the information against himself. He wishes to shoulder all the responsibility and if the Court should find any irregularity to receive all the punishment. Mr. Peters was young and "had a right to rely upon the more mature judgment of respondent."

Respondent denies specifically and in toto the allegations contained in paragraph two of the information, and alleges and avers that he has not been guilty of professional improprieties, malpractice and gross misconduct in the manner alleged, nor in any manner.

#### SUMNER UNUSUALLY SANE.

Mr. Magoon admits that John K. Sumner is upward of the age of 84 years, but denies his lack of knowledge of business or value of money, and denies that by reason of age and lack of knowledge he is easily influenced and controlled. On the other hand respondent affirms that said J. K. Sumner is a man of large business experience for one in his walk of life, and with his education and opportunities. Respondent believes that J. K. Sumner has a keen appreciation of the value of a dollar, is economical and saving, but respondent further believes that said J. K. Sumner is sometimes inclined to be too credulous to those who hold out flattering offers to him. That said J.

K. Sumner is a man of strong will and firm purpose, and cannot be easily influenced by threats or promises to do that which he has set himself against, or which he thinks is improper.

He says he has never had the full confidence of Sumner, who has not hesitated to go contrary to his wishes in a great many instances.

Respondent quotes affidavits by five doctors filed in court October 4, 1897, attesting upon individual examinations the thorough sanity of Sumner, also an affidavit by E. F. Dillingham of November 8, 1897, partly by means of which the discharge of a receiver of Sumner's estate by Judge Perry was procured, and later a decision of the Supreme Court reversing an order of guardianship of Sumner.

Another affidavit signed by the Bishop of Honolulu and fifteen business men is quoted, which alleges among other things that Sumner always has been perfectly sane, and competent and capable of transacting and managing and attending to his own business; that he is, and always has been, a man of unusual physical health and strength, and possessed of a shrewd and sound mind. This was filed in the railway land suit on Sept. 19, 1902, and caused its dismissal by Judge Robinson.

#### HAS SHORT MEMORY.

Respondent does not remember definitely whether he drew up the trust deed from Sumner to R. W. Davis mentioned in the complaint, but to the best of his belief says that, shortly after the making of the deed, it was delivered to Sumner and thereafter cancelled by Sumner and R. W. Davis.

He denies having filed the certain demurrer but admits he was responsible for it. He does not remember whether (Continued on Page 5.)

## CONVICTS ARE ARMED AND MAY KILL CAPTIVES

### Russia Forbids the Exportation of Siberian and Manchurian Wheat to Japan.

(ASSOCIATED PRESS CABLEGRAMS.)

PILOTHILL, July 27.—The convicts who escaped from Folsom prison remained together and are looting property. All are armed. The pursuing posse killed one and wounded another fatally. It is feared the convicts will kill their captive warden and guards. Militia is en-route to assist in the pursuit.

### A Move Against Japan.

PEKING, July 27.—Russia has prohibited the exportation of wheat from Siberia and Manchuria to Japan.

### Treaty Referred.

BOGOTA, July 27.—The Senate has referred the canal treaty to committee.

### The Reliance Chosen.

NEWPORT, July 27.—The trials have been discontinued and the Reliance chosen to defend the America cup.

### Troops Leaving Danville.

DANVILLE, July 27.—The city is now orderly and the troops are leaving.

### Three Million Failure.

NEW YORK, July 27.—The Hooley failure is for three millions.

ROME, Italy, July 27.—Cardinal Gibbons arrived here today to attend the conclave for the election of the Pope. The American Cardinal was very cordially received.

BRENTONS POINT, July 27.—The first official race to determine the defender of the America's cup was won today by the Reliance. The new boat finished with a good lead over the Constitution and Columbia.

## ISLANDER WILL STUDY SISAL GROWING.

A. H. Turner, formerly manager of the Hawaiian Fibre Co., will leave on the Aorangi tomorrow for a two or three month's trip to Mexico and the Bahamas for a study of the sisal industry. Upon his return Mr. Turner will again go into the cultivation of the fibre and with the experience gained in the places where sisal has been grown for many years, he expects to make the industry even more of a success than attended his efforts on the plantation at Sisal, and which he considers still is in an experimental stage.

"The knowledge of the sisal industry is rather limited in Hawaii," said Mr. Turner yesterday. "What knowledge I have I gained in the five years I was in charge of the Hawaiian Fibre Co. plantation which I started, aided by local capital. While sisal growing was a success here still I consider that so far it has only been in the experimental stage. My object in visiting the Bahamas and Mexico is to study the details in a country where the cultivation has been long a success. While it has been successful here, in the future Hawaii is going to meet competition from other countries, and in order to do this more economical methods of cultivation must be introduced."

"I intend to spend enough time in the fibre districts to study all phases of the industry. Sisal must be grown on a larger scale in these islands in order to be really a success and I intend to gain the knowledge which will be required once the capabilities of the Territory in this direction are fully known."

"I believe fully in the sisal business here and I expect to return after a study of the industry in other countries. Some day this information I will get may save the sisal industry of Hawaii for it doesn't take long to discourage an industry of this kind. Though I have been in the business here five years, it was always experimental and now I intend to learn something definite. I might also get some ideas of more economical machinery."

"New York is the centre of the fibre industry and I intend to look into the machinery for cleaning the fibre there. I am also going to look into the transportation question. It has been claimed that the difference in freight is in favor of other countries, and I want to find out why this is so."

"As to labor I believe the Japanese we have here are better than the Southern negroes of other countries. At least they do more work—my own experience proves that."

"I am going to look into the question of making rope here right from the fibre. That would save something in transportation, for the bulk of the rope is much less than of simply the cleaned fibre. The time will come when there will be a general cordage factory in the islands for the manufacture of all the sisal grown here. There is a good market for the rope right here and then the cost of manufacture should not be so great, now that oil can be delivered in Honolulu at almost the same price as in California. There is no reason why we shouldn't sell our home manufactured rope on the coast."

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AUG 2 1903

# THE DISBARMENT RAKE IS TAKING A WIDER SWATH

(From Saturday's Daily.)

Informations were filed in the Supreme Court yesterday morning by Attorney General Lorrin Andrews against J. A. Magoon and George A. Davis, respectively, charging them as licensed attorneys at law with serious offenses and concluding with prayers that they be cited to appear at the July, 1903, session of the October, 1902, term of that Court, or as soon thereafter as counsel might be heard, and that if the charges were sustained the Justices would dismiss from the roll of practitioners, suspend from practice, or otherwise deal with the respondents as under the pleadings and proof might be proper. Citations out of the Supreme Court were accordingly issued, commanding Magoon and Davis to appear before that tribunal on Monday next at 10 o'clock, A. M., and then and there answer the informations against them respectively.

Late in the afternoon Geo. A. Davis in person delivered to Private Secretary A. G. Hawes, Jr., a petition to Governor Dole, charging Attorney General Andrews with abuse of his office and prerogatives and praying for his removal. This proceeding is in the nature of an impeachment, as the Attorney General's position is beyond attack in the courts. The information against Davis and his petition of reprisals are printed in full below.

Mr. Davis showed excitement bordering on fury while performing the functions of bailiff to himself in the Executive Building. Before carrying the copy of his petition for service on the Attorney General into that official's office, he paraded the document before the eyes of Secretary Carter and others in the hallway. "I will let them see!" was the burden of his ejaculations. After making a bolt toward "bearding the lion in his den," he wheeled about and darted back into the Secretary's office to fasten the sheets of the document together. This done he rushed out and across the hallway into the Attorney General's apartments.

## CASE AGAINST J. A. MAGOON

The information against J. A. Magoon begins by setting forth that Lorrin Andrews, as Attorney General, sues for the Territory of Hawaii and on its behalf comes into court and gives the Court to understand and be informed of what follows.

First, it is shown that Magoon is a duly licensed practitioner of law in all courts of the Territory.

Secondly, it is alleged that J. A. Magoon has been guilty of professional improprieties, malpractice and gross misconduct in the manner thereafter stated.

Thirdly, it is shown that Magoon appeared as attorney for Maria S. Davis at the trial of a suit brought on Sept. 4, 1902, to declare her brother, John K. Sumner non compos mentis, and that he received for his services in said action the sum of \$2500, after the action had been compromised and settled by Maria S. Davis receiving from John K. Sumner \$10,000 for herself and \$5000 for the payment of her attorneys. This was on or about October 13, 1902.

Fourthly, John K. Sumner was a man of upward of the age of 84 years, with little or no knowledge of business, or the value of money, and, by reason of his great age and lack of knowledge, was easily influenced and controlled, all of which facts were well known to the said J. A. Magoon.

Fifthly, that on or about October 21, 1902, Sumner employed Magoon as his attorney, and about October 31 Magoon drew up a trust deed, whereby Sumner conveyed all of his real and personal property in the Territory of Hawaii, including \$48,025 or the larger part thereof, to R. W. Davis, his nephew, in trust; that said trust deed was not recorded, but remained in the possession of Magoon.

Sixthly, that on October 29, 1902, Gulistan F. Roper, as trustee for Sumner, filed a petition to the presiding Circuit Judge at chambers, entitled "Gulistan F. Roper, as trustee of John K. Sumner, plaintiff, vs. John K. Sumner, Victoria Ellis Buffandeau, William S. Ellis, John S. Ellis, Maria S. Davis, Wally Davis, Right Rev. Gulistan F. Roper, Bishop of Panopolis, and S. M. Damon and S. E. Damon, copartners, doing business under the firm name of Bishop & Co., bankers, defendants," in which petition the plaintiff set up that by a trust deed made by Sumner to him on September 17, 1898, he had been made a trustee for Sumner, and that \$48,000 belonging to such trust was now in the hands of Bishop & Co.; that Bishop Roper prayed that he might be discharged from said trust and that another person be appointed trustee in his place. Complainant charges that the \$48,000 was the same money conveyed by trust from Sumner to Davis, and that the "Wally Davis" mentioned as defendant in the Bishop's petition is the R. W. Davis mentioned as trustee in the deed aforesaid.

Seventhly, that about November 3, Magoon, appearing for Maria S. Davis, John K. Sumner and R. W. Davis, demurred to the petition, in part on the ground that there was a misjoinder of parties defendant that before the argument of demurrer Magoon called on the Bishop's attorney and represented to him that R. W. Davis was not a proper party defendant to the suit, as he had no interest in the funds under dispute, although Magoon well knew at this time that R. W. Davis was the necessary and proper party to the suit, Magoon having then in his possession the trust deed he himself had drawn up by Sumner to Davis and such deed was then in full force and effect. That the Bishop's attorney, believing the representations of Magoon, filed an amended petition omitting the name of R. W. Davis, or "Wally Davis," as a party defendant. "That by his said action said Magoon was guilty of gross professional misconduct and impropriety and perpetrated a fraud upon the Court and upon opposing counsel."

Eighthly, that at the trial of the Bishop's action between December 17, 1902, and January 12, 1903, Magoon appeared throughout as attorney for Ma-

ria S. Davis and John K. Sumner; that at no time during the pendency of the suit did Magoon inform the court that R. W. Davis was a necessary party or held a trust deed of all the funds of Sumner in dispute; "and complainant charges that said J. A. Magoon, by his conduct therein, was guilty of great impropriety and practiced a fraud upon the Court for the purpose of defeating the ends of justice."

Ninthly, that on or about January 28, 1903, the trust deed of Sumner to Davis was canceled and destroyed, and never having been recorded cannot be produced by the complainant.

Tenthly, that on or about January 12, 1903, by decree of Judge De Bolt the trust deed to Bishop Roper was canceled and the \$48,025 ordered paid to Sumner, from which decree an appeal was taken to the Supreme Court.

Eleventhly, that on or about June 26 the Supreme Court confirmed the decree of Judge De Bolt and under its decision the \$48,025 was paid to John K. Sumner.

The twelfth count and the conclusion of the information are as follows: That on or about the 26th day of June, 1903, said J. A. Magoon persuaded and induced said John K. Sumner, although well knowing his weakness and inability to understand financial matters, to pay to him as a fee for his service in the aforesaid case of Roper vs. Sumner the sum of Four Thousand (\$4,000) Dollars, he, the said J. A. Magoon, well knowing that said John K. Sumner had paid Geo. A. Davis the sum of Two Thousand (\$2,000) Dollars as associate counsel with said J. A. Magoon in said case, and that he, the said J. A. Magoon, and the said Geo. A. Davis had just prior thereto, and on or about the 13th day of October, 1902, obtained from the said Sumner the sum of Five Thousand (\$5,000) Dollars for legal services in the suit of Maria S. Davis, above named.

And Complainant charges that said fee was grossly excessive, in view of the services rendered, and the amount of money recovered, as well as the amount of money previously paid by said John K. Sumner to said J. A. Magoon and Geo. A. Davis, and that said Magoon, in inducing said Sumner to pay said fee and in taking advantage of the age and infirmities as aforesaid to charge and obtain such fee was guilty of gross professional impropriety and misconduct.

Wherefore, by reason of the foregoing, Complainant charges said J. A. Magoon with professional improprieties, malpractice and gross misconduct, and asks that the said J. A. Magoon may be cited to appear and answer this information at the June, 1903, session of the October, 1902, term of this Honorable Court, or as soon thereafter as counsel may be heard, and that if the charges herein be sustained, that Your Honors will dismiss from the roll of practitioners, suspend from practice, or otherwise deal with the said J. A. Magoon as under the pleadings and proof may be proper.

## GEO. A. DAVIS IS ARRAIGNED

In the Supreme Court of the Territory of Hawaii, October Term, 1902, July 1903 Session.

In the Matter of George A. Davis, an Attorney-at-Law of the Supreme Court.—Information.

To the Honorable Supreme Court of the Territory of Hawaii.

Lorrin Andrews as Attorney General of the Territory of Hawaii, respectfully shows to this Honorable Court that he sues for the said Territory of Hawaii, and on its behalf comes into Court here on this day, and in the name, and by the authority of the Territory of Hawaii, gives the Court to understand and be informed

1.—That at all the times hereinafter mentioned and for several years prior to the filing of this information Geo. A. Davis has been, and now is an attorney-at-law, duly admitted and licensed, by this Honorable Court, to practice law in all courts of the

Territory of Hawaii; and that under and by virtue of a certificate of admittance and license to practice, and from the time of the granting thereof by this Honorable Court, has practiced law, and conducted a general law business in the Territory of Hawaii.

2.—That said Geo. A. Davis has been guilty of professional improprieties, malpractice, deceit and infidelity to his client, and gross misconduct in the manner following, to wit:

3.—That on or about the 2nd day of September, 1902, the said Geo. A. Davis procured himself to be retained as attorney for one Maria S. Davis, and instigated and advised her to bring proceedings before a judge of the Circuit Court of the First Circuit, at Chambers, against her brother, one John K. Sumner, wherein and whereby she asked that said John K. Sumner be declared non compos mentis and placed under guardianship. That thereafter and on or about the 12th day of October, 1902, said John K. Sumner and Maria S. Davis, parties to said action, agreed to compromise and discontinue said action, on the payment by John K. Sumner to Maria S. Davis of the sum of Ten thousand (\$10,000) Dollars, and said Maria S. Davis, through her son, one R. W. Davis, notified said Geo. A. Davis, her attorney, of her intention to so settle and discontinue her said action. That said Geo. A. Davis, though claiming to act as her attorney, refused to settle and discontinue said action, unless he was paid the sum of Five Thousand (\$5,000) Dollars, and threatened to prevent the settlement and discontinuance of said action, unless said sum of money was paid to him, and refused to take any steps to settle said action until arrangements were made whereby said Davis did receive the sum of Five Thousand (\$5,000) Dollars as counsel fees. And complainant charges that the said actions of Geo. A. Davis were grossly improper, and that the said Geo. A. Davis by so doing was guilty of malpractice and infidelity to his client.

4.—That the said John K. Sumner was a man of upward of the age of eighty-four (84) years, with little or no knowledge of business, or the value of money, and by reason of his great age and lack of knowledge, was easily influenced and controlled, all of which facts were well known to said Geo. A. Davis.

5.—And complainant further alleges that on or about the first day of December, 1902, the said Geo. A. Davis made certain false representations to one R. W. Davis and John K. Sumner, to wit: that he, the said Geo. A. Davis, could immediately obtain for said John K. Sumner, the sum of Forty-eight Thousand and Twenty-five (\$48,250) Dollars at that time deposited with the Banking House of Bishop & Company, of Honolulu, Territory of Hawaii, on condition that the said John K. Sumner would pay to him, for said service in obtaining the money, the sum of Three Thousand (\$3,000) Dollars, which representations of said Geo. A. Davis were wholly false and untrue and said Davis knew them to be so, and made them for the purpose of deceiving said John K. Sumner and obtaining from him a promissory note for the amount of Three Thousand (\$3,000) Dollars.

6.—That on or about the 1st day of December, 1902, the said Geo. A. Davis persuaded and induced the said John K. Sumner, by the means of the false representations aforesaid, to sign a promissory note for the sum of Three Thousand (\$3,000) Dollars in the words and terms as follows:

Honolulu, Dec. 1, 1902.  
"On demand, for value received, I promise to pay George A. Davis, or order, the sum of Three Thousand (\$3,000) Dollars at the Banking House of Bishop & Company, without interest."  
(Signed) JOHN K. SUMNER.

That at the time of receiving said note said Davis had given no value therefor, and said John K. Sumner, had received no value therefor, but misled by the misrepresentations of said Geo. A. Davis, believed that said the said John K. Sumner, note was necessary to insure the obtaining immediately of the sum of Forty-eight Thousand and Twenty-five (\$48,250) Dollars by the said Geo. A. Davis from the aforesaid bank; and that upon the failure of the said Geo. A. Davis to obtain the said sum, said note would have no value or effect.

That said Geo. A. Davis, in violation of his professional oath, and duty as an attorney and professional adviser, thus falsely and fraudulently obtained said note from the said John K. Sumner and refused to return the same, and kept the same and did not obtain from the Bank the sum of Forty-eight Thousand and Twenty-five (\$48,250) Dollars, as he had represented himself able to do, and was thus guilty of gross professional misconduct, deceit and infidelity to his client.

7.—That on or about the 23rd day of October, 1902, Gulistan F. Roper, as Trustee for said John K. Sumner, filed a petition addressed to the Presiding Judge of the Circuit Court of the First Circuit, entitled "Gulistan F. Roper, as Trustee of John K. Sumner, plaintiff, vs. John K. Sumner, Victoria Ellis Buffandeau, William S. Ellis, John S. Ellis, Maria S. Davis, Wally Davis, Right Rev. Gulistan F. Roper, Bishop of Panopolis and S. M. Damon and S. E. Damon, Copartners, doing business under the firm name of Bishop & Company, Bankers, defendants," that said Geo. A. Davis procured himself to be appointed as one of the attorneys for said John K. Sumner, and assisted in the conduct of said case on behalf of said John K. Sumner.

8.—That on or about the 12th day of January, 1903, by decree of the Honorable J. T. De Bolt, First Judge of the Circuit Court of the First Circuit, of the Territory of Hawaii the said trust deed to Gulistan F. Roper was canceled and the said sum of Forty-eight Thousand and Twenty-five (\$48,250) Dollars was ordered paid to John K. Sumner from which decree an appeal was taken to the Supreme Court of the Territory of Hawaii.

9.—That on or about the 25th day of June, 1903, the Supreme Court of the Territory of Hawaii rendered a decision wherein and whereby the aforesaid decree of the Honorable J. T. De Bolt as Judge of the Circuit Court of the First Circuit, of the Territory of Hawaii was confirmed, and by and under

which the sum of Forty-eight Thousand and Twenty-five (\$48,250) Dollars was paid to the said John K. Sumner. That on or about the 26th day of June, 1903 said Geo. A. Davis threatened said John K. Sumner, well knowing his weakness and inability to understand financial matters, that unless the said John K. Sumner should pay to him, the said Geo. A. Davis, the sum of Two Thousand Five Hundred (\$2,500) Dollars for his services in the said action of Gulistan F. Roper against said John K. Sumner et al., he would sue the said Sumner on the aforesaid promissory note for Three Thousand (\$3,000) Dollars fraudulently obtained as aforesaid by the said Geo. A. Davis, and would garnish the said Forty-eight Thousand and Twenty-five (\$48,250) Dollars obtained by said John K. Sumner under the said decree in said action, and delay the matter so that the said John K. Sumner would be unable to obtain the possession and control of said money; and that by means of said threats and intimidations and preying upon the fears of said John K. Sumner, who had great dread of litigation, as said Geo. A. Davis well knew, said Geo. A. Davis did extort from the said John K. Sumner the sum of Two Thousand (\$2,000) Dollars. And complainant charges that the actions on the part of said Geo. A. Davis were grossly improper, and that said Geo. A. Davis was guilty of malpractice, deceit and infidelity to his client in resorting to the same.

Whereof, by reason of the foregoing complainant charges said Geo. A. Davis with professional improprieties, malpractice, deceit, infidelity to his client and gross misconduct, and asks that the said Geo. A. Davis may be cited to appear and answer this information at the June 1903 session of the October 1902 Term of this Honorable Court, or as soon thereafter as counsel may be heard, and if the charges herein may be sustained, that your Honors will dismiss from the roll of practitioners, suspend from practice, or otherwise deal with the said Geo. A. Davis, as under the pleadings and proofs may be proper.

LORRIN ANDREWS,  
Attorney General, Territory of Hawaii.

## DAVIS PETITIONS GOVERNOR DOLE

To the Honorable Sanford B. Dole, Governor of the Territory of Hawaii.

The petition of George A. Davis, a citizen of the Territory of Hawaii, humbly shows unto your Honor and the petitioner alleges and says as follows:

1.—I charge Lorrin Andrews, the Attorney General of the Territory of Hawaii, with using his office as Attorney General of the said Territory for the purpose of maligning, slandering, defaming and otherwise injuring my character as a lawyer and a citizen in that, he caused to be lodged and filed in the Supreme Court of this Territory a certain information which is absolutely false and untrue, wherein he, the said Lorrin Andrews, charged me with professional impropriety, malpractice, deceit and infidelity, a copy of which said information your petitioner respectfully prays may be hereafter filed and the several paragraphs thereof referred to upon the hearing in this matter.

2.—I charge the said Lorrin Andrews as Attorney General of the Territory of Hawaii with neglecting and refusing to file an information against Emil C. Peters, Deputy Attorney General of this Territory, because and for the reason that the said Deputy Attorney General Peters, on the 14th day of October, A. D. 1902, received from me the sum of \$2500 in gold coin, being part of the \$5000 with which the said Lorrin Andrews charges me with receiving improperly in the Third paragraph of the information above referred to. The receipt for the said sum of \$2500 is partly written and partly printed, and the written part thereof is in the handwriting of the said Deputy Attorney General Peters; and the said receipt is in the words and figures following, to wit:

October 14th, 1902.  
"Received from Hon. Geo. A. Davis Twenty-five Hundred Dollars. In full of share of fee in Re Petition for Guardianship of J. K. Sumner."  
"\$2500."  
MAGOON & PETERS."

3.—I charge the said Lorrin Andrews, the Attorney General of the Territory of Hawaii, with the gross misuse of his power as Attorney General in filing the information against me, because the said Lorrin Andrews is biased, prejudiced and interested directly in the result of this proceeding, because his lawfully appointed Deputy received the sum of \$2500 out of the said sum of \$5000 as aforesaid, and should be proceeded against upon information which the said Lorrin Andrews in disregard of the high duties of his office has refused to do, but has filed an information which he knows to be false and untrue against me, the said George A. Davis.

4.—I charge the said Lorrin Andrews with the gross abuse of the prerogatives of his high office as such Attorney General in filing said information against me, the said George A. Davis, because the facts therein stated are wholly unsupported by the record and evidence in the case of John K. Sumner at the suit of Gulistan F. Roper, Bishop of Panopolis, Trustee, and the said Lorrin Andrews well knows that the said information so filed by him against me, the said Geo. A. Davis, on the 24th day of July, A. D. 1903, is wholly false and unfounded and that the facts and statements therein contained are wholly groundless.

Your petitioner therefore prays that at the termination of the proceedings in the Supreme Court, and after the information which has been lodged against me has been disposed of that I may be heard before your Honor as to the conduct, actions and doings of the said Lorrin Andrews, and that proof as I may be able to furnish in support of the charges herein set forth, and that upon due proof being made of the conduct of the said Lorrin Andrews in the premises that he may be removed from the office of Attorney General by you, the said Governor of the Territory of Hawaii, and as in duty bound your petitioner will ever pray. Dated, this 24th day of July, A. D. 1903.

GEO. A. DAVIS

# ILLINOIS MOB LYNCHES, BURNS AND MUTILATES

(ASSOCIATED PRESS CABLEGRAMS.)

DANVILLE, Ill., July 26.—A mob while en route to the jail to lynch a negro rapist was fired on by a negro bystander, the shot killing one white man. The murderer rushed to the police sub-station, the mob pursuing him. The doors of the sub-station, which had been shut and locked were shattered and a policeman, who tried to keep the mob out, was hurt. Frenzied men seized the murderer, lynched, mutilated and burned him, and then marched on the jail, attacking it. There they were confronted by the Sheriff and his deputies who fired upon them, repulsing the mob and wounding seven, two fatally. At the present moment the mob, which numbers thousands, has sent for dynamite. A company of colored troops is in readiness to defend the jail and more trouble is expected.

DANVILLE, Ill., July 27.—Mobs ruled the town last night but on the arrival here this morning of four companies of militia the mobs were dispersed. Feeling still runs high and unless more militia are secured another clash between whites and negroes may occur. Business is at a standstill.

ROME, July 26.—The Ring of the Fisherman is missing and may possibly be concealed among the late Pope Leo's effects.

The Fisherman's Ring is a seal-ring worn by Popes. With it are sealed certain State papers which are said to be "given under the Fisherman's Ring." It bears a striking figure representing St. Peter fishing, is borne by the Popes as St. Peter's successors, and has been used since the thirteenth century. The origin of this custom is not known. A ring similar to that worn by the Pope belongs to the official costume of every Roman Catholic bishop.

SAN JOSE, July 26.—The children of the late James Campbell have petitioned the probate court to set aside the decree of distribution of his estate and discharge Mrs. Parker, as executrix. They further ask for the restoration of \$182,572 on the ground that the trust is invalid.

TIENTSIN, July 26.—Trainloads of Russian artillery are hurrying towards Port Arthur.

PEKING, July 26.—The Russian declaration to the powers is interpreted as meaning that Russia will not permit China to enter upon engagements with the powers in regard to Manchurian territory.

BUDAPEST, July 26.—Four hundred and fifty soldiers, marched unnecessarily in the heat, are prostrated and a score are dead. The officers have been censured.

PITTSBURG, July 26.—50,000 miners have had their pay substantially increased.

ST. PETERSBURG, Russia, July 27.—Hartwig, director of the Foreign Office, denies the cable report that Russia is mobilizing all of her troops and sending artillery to the Far East for an emergency. He states that the ports asked for in Manchuria will be opened. The director declares that the talk of war preparations in Russia has been instigated by the English and defies the Powers to block Russian progress.

He declares that Russia is in a position that would allow her to crush Japan easily if she wished to do so.

WORCESTER, Mass., July 27.—In a street car collision here today one person was killed and forty-eight were injured.

EAST ST. LOUIS, Ill., July 27.—A train crashed into an electric car here today, killing three, and injuring a score.

ST. PAUL, July 27.—The crew of a freight train misread their orders with the result today that it crashed into a limited train. Four were killed and thirty were injured.

VIENNA, Austria, July 27.—Plotters in Serbia and Bulgaria are making an effort to form a union between Serbia and Bulgaria. The scheme is to depose Prince Ferdinand of Bulgaria and set up King Peter Karageorgevitch as ruler of both countries and by the powerful force such a union could produce to intimidate Turkey and in that way settle the Macedonian affair. The foreign office has taken up the affair.

ROME, July 27.—Thousands of people today viewed the sarcophagus containing the remains of Pope Leo. Forty-five cardinals were present to listen to the reading of Leo's will, the latter having been made on July 8, 1900. All the preliminaries and ceremonies attendant upon the election of Pope Gregory XV will be followed by the present conclave in choosing Leo's successor.

NEWPORT, Rhode Island, July 27.—Three trial spins of the American yachts Reliance, Columbia, and Constitution will be held this week and at the close of the week the yacht which is to defend the cup will be chosen.

ST. PETERSBURG, July 27.—A terrible tragedy is told here in the brief announcement that male field laborers fired a barn in which female laborers were quartered and that thirty-three of the latter perished in the flames.

## HAWAII'S BANANAS CUT BY MIDDLEMEN.

The hopes of the banana planters of this section of the country have had a severe shock by the latest returns from the commission men. The best bunches from Hawaii command from seventy-five cents to twice that sum per bunch, while the Bluefields bananas are selling for nearly twice as much. The excuse given the Hawaiian planters for the low price is that the California fruit season is now on. If that were the reason it would seem probable that the Bluefields variety would be similarly affected. The truth of the matter is that the Hawaiian bananas are being discriminated against, and unless this discrimination ceases it will be more profitable for the growers to feed their product to stock than to ship to the coast. What the planters really need is a representative at San Francisco who could influence buyers and perhaps create a market, outside of San Francisco, for the island product. A steamer to Sound ports would be a great benefit to fruit growers of this section.—Hawaii Herald.

# DAVIS FILES HIS ANSWER TO GRAVE CHARGES

(From Sunday's Daily)

George A. Davis filed his answer in the disbarment proceeding in the Supreme Court at nine o'clock last evening. He denies practically all the charges that are made in the petition filed by Attorney General Andrews.

He admits being an attorney in the Supreme Court and says also that he is a member of the bar of the United States Supreme Court, the Court of Appeals, and that he graduated from Boston University in 1879 and has since been practicing his profession.

He denies that he is guilty of professional improprieties and deceit and alleges that he was retained to defend Maria S. Davis, a sister of John K. Sumner and as such attorney examined the records of the court and found a letter from W. A. Kinney in regard to the original trust deed given to Bishop Roper. Also that he received information that Sumner was about to sell his harbor land to the Oahu Railway and that relying on the statement in the Kinney letter and his information regarding Sumner's intention he asked for an injunction to prevent it. He alleges that of the \$100,000 to be obtained for the land the Roman Catholic church was to receive \$25,000, Sumner the same amount, and the remainder was to be divided among the Ellis children. He claims that the suit was brought to protect the right of Maria S. Davis who was to be left without anything, and that he did protect her rights and obtained for her \$15,000 of which she paid to him \$5,000 and instructed him to give one-half to Magoon & Peters. He recites that he obtained a receipt for this amount, and that it was in the handwriting of E. C. Peters.

He further sets out that the negotiation for the settlements was carried on between B. F. Dillingham, Bishop Roper, F. M. Hatch, H. E. Highton, F. E. Thompson and the Ellis children and that his client was kept advised of every step taken. Further that the services performed by him were reasonably worth the sum of \$2,500 and that "the negotiations were conducted openly, fairly and in pursuance of honorable professional employment."

The respondent further denies that he refused to discontinue the action brought by him against Sumner, but that he acted in good faith in guarding the interest of his client Maria S. Davis and that he did obtain for her the sum of ten thousand dollars in gold coin from the said Oahu Railway and Land Co. He asks that the papers in the case be made a part of the record.

Then respondent alleges that after the termination of the above proceedings he was regularly employed by Sumner to represent him and he cites the power of attorney which he had from Sumner. This was irrevocable and gave him power to take all necessary steps to obtain possession of the \$48,025 and to collect and receipt for all monies due or likely to become due to Sumner. He further alleges that he performed "valuable and meritorious services in the suit of Gulstan F. Roper, trustee, vs. John K. Sumner, et al., and that he brought said proceedings to a successful termination and was engaged for weeks in the trial of said suit."

Regarding the \$3,000 promissory note Davis says that he obtained it "as security for the payment of this respondent's legitimate fees for professional services to be rendered and respondent alleges that he acted in good faith and with perfect fairness in all the proceedings in which he was engaged as counsel for the said John K. Sumner and did all that he was required to do as such properly and regularly retained counsel."

"This respondent received a cheque for \$2,000 for his services as such counsel in the presence of the First Circuit Judge the Honorable John T. De Bolt and the said John K. Sumner signed the said cheque and delivered it to the said respondent George A. Davis freely and voluntarily and the said George A. Davis received and accepted the said two thousand dollars in full for services rendered AND TO BE RENDERED as the attorney of the said John K. Sumner and this respondent alleges that he is still the attorney of the said John K. Sumner and that the sum of two thousand dollars was and is a reasonable and proper charge for this respondent to have made for the meritorious services so rendered and those to be rendered as the attorney of the said John K. Sumner."

"This respondent alleges that he acted in good faith and advised the said John K. Sumner to keep his money on deposit in the First National Bank at interest and that this respondent obtained a certain trust deed made and executed by John K. Sumner whereby he assigned the \$48,025 to one R. W. Davis and threatened to withdraw from said suit as Sumner's attorney unless said deed was treated as a nullity by said R. W. Davis and said Sumner and this respondent on the consent and approval of said R. W. Davis and said John K. Sumner destroyed said deed of trust and the said John K. Sumner when this respondent last saw him had on deposit in the First National Bank the sum of \$46,025 so obtained for him by and through the efforts of and skilled work of this respondent."

The answer closes with another denial of the charges and the allegation that "this respondent alleges that he acted in all the proceedings referred to in said information in good faith, fairly, honorably and as a respectable lawyer should act in the matters entrusted to him by his client." Further he says that "he has faithfully and honorably conducted his professional work and done his duty at all times since his admission as an attorney of the bar of this court, and prays that the said information so filed against him by the said Lorrin Andrews the said Attorney General may be dismissed and that he said Attorney General be ordered to pay the costs of this proceeding."

## ATTACK ON CAMPBELL TRUST A GEO. DAVIS ENTERPRISE

George Davis is held responsible for the attempt to break the James Campbell trust, brief mention of which is made in the cabled dispatches from San Jose yesterday. Davis is the guardian of the property of the minor children of the late James Campbell. He was appointed by Judge Gear less than a month ago without the consent of the Campbells, and the first result is the attempt to break the trust.

"No, it is not a friendly suit," said one of the attorneys who was interested in the matter during the hearing of the objections raised to the executors' accounts here. "Mrs. Parker is decidedly opposed to the attempt to break the trust. She wants the trust maintained as her late husband wished. The attempt to break it is made under the ruling in the Fair will case, where it was held that such a trust could not be established in California. If the court sets aside the decree of distribution and declares the trust is invalid, Mrs. Parker will get one-half of the San Jose property and the other half will go to the children."

No one knows why the suit was brought in California instead of Honolulu where all the parties interested reside, unless it is because the trust property is located at San Jose. No matter if the trust is declared invalid as far as the California property is concerned it would not affect the estate in Honolulu which must still be continued as the "Estate of James V. Campbell."

The suit brought by Davis, as guardian for the minors, involves also the title to the St. James Hotel in San Jose which was conveyed to Miss Alice Campbell nominally for \$175,000. Under the terms of the will this money should have gone into the trust, only the income to be apportioned among the heirs. It is the purpose of the suit to make a division of this amount rather than wait for the income. Under the will of James Campbell this money would be tied up in trust until twenty years after the death of the last survivor while if the trust is broken as regards the California property there will be so much more to divide up among the children now. Davis claims to represent three of the heirs in the proceedings brought before Judge Gear, and he probably appears for the two minor children in this petition to set aside the decree of distribution.

The petition will not be allowed to go uncontested. The executors of the estate are Mrs. Parker, J. O. Carter and Cecil Brown and they will oppose any distribution until it is conclusively shown that under the California law the trust is invalid.

# CARTER AND KEPOIKAI TAKE PROMPT ACTION

WASHINGTON, D. C., July 24, 1903.

TO GOVERNOR DOLE, HONOLULU,

Replying letter thirtieth ultimo advise you that requirements of Organic Act will be complied with when President approves incurring bonded indebtedness [by] endorsement. His approval of each bond unnecessary.

In submitting matter for Presidential approval, detailed statement financial condition Territory, necessity for loan, and other pertinent information necessary to determine question, should be supplied,

THOS. RYAN,

Acting Secretary.

(From Saturday's Daily.)

The foregoing cablegram was received yesterday morning, in the absence of the Governor from Honolulu, by George R. Carter, Secretary of the Territory. To make its meaning perfectly clear the Governor's letter to Secretary Hitchcock is here appended:

JUNE 30TH, 1903.

The Honorable Secretary of the Interior, Washington, D. C.,

Sir: The Organic Act provides, in Section 55, that the Legislature may authorize loans by the Territory for certain purposes, and under certain conditions, one of which is that no "such bond or indebtedness shall be incurred until approved by the President of the United States," as set forth in the latter part of the section.

Under this authority the Legislature has passed an act to provide for public loans, a copy of which I enclose herewith. The Legislature has now under consideration a bill appropriating moneys under the authority of the loan act, section 2, for the coming biennial period, which begins July 1st, 1903. The amount which can be borrowed under the loan act for the first year of the coming biennial period, as limited by section 55 of the Organic Act, to one per centum upon the assessed value of taxable property of the Territory, is \$1,230,000.

The President's approval is desired for bonds for such amount. We are arranging for the preparation of these bonds and, in relation thereto, I desire your instructions as to the form of the President's approval. Will he approve in one act of this above amount which we desire to borrow for the coming year, or will he approve of each bond by endorsing his approval on the same? In case the latter course is decided on, it will be convenient in the preparation of the bonds to provide a space therefor with the word "approved" and the words "President of the United States," engraved above and below such space.

As time is important to the Territory in this matter, may I ask you to telegraph your decision? The wording of this letter may make me appear to have taken the President's approval for such loan for granted, but I assure you that I do not entertain any such sentiment.

When the loan appropriations are passed I will forward a copy. SANFORD B. DOLE.

Secretary Carter, on receipt of the cablegram from Mr. Ryan, who is the law adviser to the Department of the Interior, decided on taking immediate action in compliance with the advice the message contained.

"The matter is too important," Mr. Carter said when giving the correspondence out for publication, "to be held over until the Governor's return. Mr. Kepoikai and myself will, I presume, be able to obtain the necessary data and information asked for in the cablegram, which will be forwarded to Washington with the least possible delay."

The Secretary and Treasurer are therefore now at work preparing the subject matter to be laid before President Roosevelt as cause why he should approve the Territorial loan for the raising and expending of which the Legislature has provided.

## BONDED INDEBTEDNESS OVER ONE MILLION

(From Sunday's Daily.)

The bonded indebtedness of the Territory of Hawaii at noon yesterday amounted to \$1,137,000. This is shown in a statement prepared by Registrar Hapai, at the direction of Treasurer Kepoikai, as part of the data to be sent to Washington for the information of President Roosevelt in considering the proposed new Hawaiian loan. The statement as typewritten was up to the closing of the books on Friday, July 24, but yesterday forenoon \$8000 of fire claims were sold which is added. Following are the particulars:

Bonds 6 per cent. outstanding under Loan Act of June 13, 1896—	
Stock "A" \$1000 Bond.....	\$ 838,000
Stock "E" \$500 Bond.....	9,000
Stock "O" \$100 Bond.....	1,000
Stock "U" \$5000 bond.....	50,000
	\$ 896,000

Fire Claims 4 per cent. Bonds under Act of Congress, Jan. 28, 1903—	
Total sum to noon, July 25.....	241,000

Grand total .....\$ 1,137,000

It may be said in this connection that the large deal in fire claims bonds at 97 1-2 in New York, mentioned a week ago as then pending, did not materialize. The seekers asked for concessions in expenses which were declined at this end. However a large block of the same bonds changed hands locally at 97 1-2

# HOME RULERS ARE LIKELY TO SPLIT TODAY

(From Monday's Daily.)

Senator David Kalanokalani will lay down the reins of control at the Home Rule convention to be held today and ex-Delegate Robert W. Wilcox will in all probability be elected as president of the Home Rule party in his stead. And if Wilcox is elected there will be another split in the Home Rule party led by Kalanokalani.

Today's convention is a Territorial meeting and not a county convention for Oahu alone as has been published. Despite that it is more than likely that the slates of the candidates in the various counties will be decided upon at caucuses to be held today.

The hour for the convention opening is fixed at 9:30 this morning, though it will be probably an hour later before the delegates get down to business. Altogether there are present between thirty and forty delegates from the various islands, some of whom have been here since the close of the legislature, while others only arrived on the Kinau Saturday and on the Claudine yesterday.

The meeting is to be held at the party headquarters on Maunakea street though there was some talk yesterday of holding the convention in the Orpheum. There have been some negotiations with the Orpheum management with this end in view but nothing definite has been decided upon as yet.

The convention is wholly one of organization. Officers of the Home Rule party will be elected for the coming year as well as the general executive committee of seventy which will have charge of the county campaign. Senator Kalanokalani is the president of the party now and Jesse Makainai, late assistant clerk of the House, is the vice-president.

Kalanokalani has told his friends that he will not be an active candidate for re-election, though many of them have urged that he stand for the nomination assuring him their votes, and promising that they have sufficient to carry the convention. Kalanokalani has said that he will accept the honor if offered but will not make a canvass. He says he is tired of the work and has done his share for his party. Ex-Delegate Wilcox is the man who seeks the leadership of his party. His defeat for the highest office within the gift of his party has not curbed his ambition and he believes that with himself in control of the party organization he can not only get the nomination but carry the election two years from now.

Wilcox and Kalanokalani are no longer friends. Formerly they were as intimate as brothers. A year ago it was Wilcox who saved Kalanokalani from losing the presidency after Kuhio and his friends had bolted the convention.

It is only lately though that the two Home Rule leaders parted. And the Princess was the cause. Theresa used to run the party in the absence of her husband. But there has been a growing disaffection among the rank and file from petticoat leadership. So when last Wilcox went to Washington there was an entire breakaway from Mrs. Wilcox. During the legislature there was an open rupture between Kalanokalani and the Princess. And the breach was widened when the Delegate returned and was told of his wife's troubles.

Now Kalanokalani charges that Wilcox has been trying to undermine him in the party and he wants the delegates to decide. Jesse Makainai, who is the vice-president, is not a candidate for the presidency and the plum will go to Wilcox who has been quietly working for it since his return from Washington. He is said to have Maui solid and Oahu is also for him, now that Kalanokalani is out of the race. Wilcox will probably be the choice of the convention unless a new candidate is sprung at the last minute.

"No I have not declined the presidency," said Senator Kalanokalani last night. "If my friends wish to elect me it is all right—if not it is all right. Wilcox has been going around trying to get votes for the office. If he gets it I shall not follow him. I am gone with the Home Rule party then. Mrs. Wilcox can't run me. Women have no business trying to run the party. If Wilcox is elected I am out of it for good."

The meeting tomorrow will be for the election of president, vice-president and secretary and other officers. No. I don't believe we will nominate county candidates, though the Oahu delegates may decide to do it, as they will all be here. From the other islands the delegates will go back and hold their conventions next month."

HOME RULERS SCENT A GAME.

Haleiwi, who was chairman of the last convention will be the temporary chairman today.

The convention for the selection of county candidates will not be held until next month. The Home Rulers are working the county ticket secretly and will spring it as short a time before election as possible.

The Home Rulers will not nominate candidates on the county ticket who are now serving a term as senator or representative. They are afraid of some sort of game being played upon them, and they don't want to take chances. One prominent Home Ruler said that the Attorney-General had ruled that the legislators could hold office to catch the Home Rulers. Then if they ran and were elected the Supreme Court would hold that they couldn't hold office and the Republicans would go in. So they won't take any chances even though the Attorney-General of the United States says they may hold office.

## WHERE MAUI'S KINGS LIE HIDDEN AWAY

Perhaps Kapela, the highest peak of the Lihau ridge, overlooking Olowalu, is the most interesting one in Iao valley, for somewhere among its numerous dark, hidden recesses, no living soul knows where, is the cave containing the bones of the kings and chiefs of Maui. In this cave were supposed to have been hidden the bones of Kahakili, king of Maui, and Kalanikupule, his son, and other royal personages. Other authorities claim, however, that after the death of Kahakili on Oahu in 1785 his bones were sent to Hawaii. Sometime during 1884 the late King David Laamea Kalakaua, with native kamaainas from Wailuku, spent a day in Iao valley trying to locate the cave with the royal treasures, but he gave up the attempt in despair. Either the natives did not know the exact location of the cave, or they would not show the place on account of the prevailing superstition that he who would give away the bones of the kings would surely die, but at any rate, none of the ten men knew where the place was. W. B. Keane was one of the party, and according to his statement some of them climbed a lofty lehua tree and from that elevated position they looked into a cave and saw some bones, but they could not make out whether they were human bones or not. Some of them had the temerity to believe they belonged to animals, but the question would be asked how the animals ever got there, for no human being of later days, and not even goats, could get there. But this can only be answered by the fact that the natives of the last century were, by far, greater and superior athletes than their brothers of today, and what would seem impossible nowadays was within the range of possibility then. For it is recorded in history how Kamehameha the Great used to lift men in the air and break them in two, and how he performed other feats equally superhuman, that would make his modern brethren hide their faces for very shame. That was the age of athletic feats. They would have excelled in base ball, too, had that game been known at the time.

There is no doubt that this cave, known as Kapela-kapu-e-na-ili, contains treasure of untold value, but to reach it is the question. Not only the bones of high chiefs and chieftesses were hidden here, for fear of being made into fish hooks, but feather cloaks or royal abulas belonging to King Kahakili and other Maui rulers may be there still. Lehua trees abound here. The indigenous birds have almost disappeared, for the familiar notes of the ao, liwi, o-u, amakiki, o-mao, and other songsters of the dale are silenced for ever.—Hilo Side Lights.

DYSENTERY causes the death of more people than small pox and yellow fever combined. In an army it is dreaded more than a battle. It requires prompt and effective treatment. Chamberlain's Colic, Cholera, and Diarrhoea Remedy has been used in nine epidemics of dysentery in the United States with perfect success, and has cured the most malignant cases both of children and adults, and under the most trying conditions. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson Smith & Co., Ltd., Agents for Hawaii.

One of these days George Davis will make the mistake of playing the pistol pocket bluff on some man who takes him seriously.



# ATTORNEY MAGOON ON TRIAL FOR MISCONDUCT

(Continued from page 1.)

two of the twelve grounds of the demurrer were for misjoinder of parties defendant, but believes that it was then thought that the plaintiff, Bishop Robert as trustee, and John K. Sumner, the life tenant, were the only proper parties to the bill. Sumner was urging a speedy trial of the suit and respondent did not have the opportunity to make an exhaustive study of the law on the several grounds of demurrer as he would have liked, the time being mostly spent on the question of revocability of the trust upon which the case was ultimately decided in favor of Sumner.

## REGARDS CHARGES PUERILE.

Mr. Magoon submits, without intention of being disrespectful to the Attorney-General, that the allegations in paragraph seven of the information "are trivial and puerile in the extreme." In this connection he denies he told Stewart that Wylie Davis had no interest in the property. He goes on at great length to intimate that this view about Wylie Davis came from Stewart to him. Then he argues that it made no difference, anyway, whether Wylie Davis was a party or not. Davis would have been bound by the decision of the court, even if he had not consented to the cancellation of the deed.

He could not understand how the Attorney-General could have charged him with fraud upon the Circuit Court in the Davis trust deed matter, in view of the correspondence between the Attorney-General and himself relative to the investigation of the conduct of attorneys which he quotes, and of the report of the Attorney-General to the Supreme Court in which he said:

"I find absolutely nothing in the actions of J. A. Magoon, Esquire, upon which charges could be based before your Honorable Court."

## THE ADVERTISER BLAMED.

Respondent in this connection says: "That the attitude of the said Lorrin Andrews at this time is entirely inconsistent with the statement in his report, and this deponent believes that this shifting of the attitude of the Attorney-General is due to a too sensitive regard for what might be taken as public opinion, as reflected in the columns of the Pacific Commercial Advertiser, which paper has relentlessly, maliciously and continuously traduced and maligned respondent."

He believes that the statement regarding the Wylie Davis trust deed in the affidavit was intended to influence the Court improperly, as no mention had hitherto been made of the trust deed excepting an allusion in a brief of A. S. Humphreys, upon which respondent comments:

## COLOSSAL SERVICES.

Thousands of words are used by respondent to recount the services for which he received the fee of \$4000 from Sumner. He says that when Sumner lost confidence in himself and Geo. A. Davis and suggested the calling in of Kinney, Ballou & McClanahan, the respondent cheerfully consented but W. A. Kinney declined the offer, in a letter quoted, unless he could have the control and direction of the case. Respondent was willing to agree, as he believed Humphreys and Thompson desired to make the suit one for the trial of personal differences between attorneys, but Geo. A. Davis would not consent and the firm named therefore did not come in.

## CLAIMS FEE REASONABLE.

Mr. Magoon says his fee depended almost, if not wholly, upon the successful issue of the suit. If Sumner had failed, respondent believes that not only would he have recovered no remuneration for all the services rendered and time spent, but would not have received back the costs paid in the suit and the amounts he actually advanced for the support of J. K. Sumner for a long time, if ever.

He says the property of J. K. Sumner involved in the trust was \$48,025 in cash and real estate of the value of from \$10,000 to \$20,000, making in all an estate in the neighborhood of \$70,000. Said suit being entirely successful, the said estate is now subject to the absolute control of Sumner, and respondent claims he might have charged \$4000 for the services performed by himself and associates in that suit, entirely separate and apart from any fee Sumner might be pleased to pay Geo. A. Davis.

## DEFENDS MRS. DAVIS.

Mr. Magoon proceeds at great length to recount good offices done by him for Sumner, mentioning his defense of the Ah in case and defeat of the injunction on the \$48,025 withdrawal. He defends Mrs. Maria Davis from the charge of blackmail, and says the fee she paid Geo. A. Davis was her own money, and Davis paid him half in accordance with agreement. Neither the nor her son, R. W. Davis, nor John K. Sumner, though he has met them many times since, has ever suggested any dissatisfaction in that matter.

## THANKFUL FOR OPPORTUNITY.

In conclusion Mr. Magoon thus expresses himself:

"That so far from harboring any malice or ill-will against the Attorney-General for bringing this information, however unjust the charges appear to be, respondent is heartily thankful to him for thus affording respondent an opportunity to legitimately spread upon the records of this Honorable Court, as detailed a history of his connection with the recent litigation of said J. K. Sumner as the time allowed for answer will permit. This respondent does, with

a feeling of absolute security, that all the misrepresentations and falsehoods, so studiously circulated about him have been met, refuted and overthrown.

"Respondent cheerfully submits this, his answer to the information herein of Lorrin Andrews, the Attorney-General of the Territory of Hawaii, to a Court which he has always held in the highest esteem, and in whose presence he claims to have always conducted himself with the respect due to so high a tribunal, the high standing of which, for integrity and ability, so far as in him lies, as one of its honored and trusted officers, he will forever maintain."

## TRIAL OF MAGOON UPON THE CHARGES

The Supreme Court resumed its sitting promptly at 1:30, Chief Justice W. F. Frear and Associate Justices C. A. Gaibraith and Antonio Perry on the bench.

Lorrin Andrews, Attorney-General, appeared for the Territory with the cooperation of W. S. Fleming, Assistant Attorney-General. J. Lightfoot appeared to assist the respondent, J. A. Magoon.

Attorney-General Andrews read the information against the respondent, of which the substance has already appeared in the Advertiser.

Mr. Lightfoot read the answer of respondent. Reading throughout with considerable deliberation of accent, he did not finish until five minutes of three o'clock.

## DAVIS RULED OUT.

Geo. A. Davis here appeared and asked if his case could not be tried along with that of Mr. Magoon. The evidence would to a large extent be the same in both cases.

"What does the Attorney-General say?" Justice Perry asked.

Mr. Andrews stated that the charges were entirely distinct. Mr. Magoon was not charged with the same things as Mr. Davis, nor Mr. Davis with those against Mr. Magoon.

Chief Justice Frear announced that the Court regarded the matters as distinct.

## EVIDENCE BEGINS.

The Attorney-General then proceeded to put in evidence, beginning with the records in various Sumner cases.

P. H. Burnette was the first witness. Was a notary public the latter part of October, 1902. Had his notarial record with him. It contained under Oct. 23 a power of attorney from John K. Sumner to J. Alfred Magoon; under date Oct. 31 a trust deed from John K. Sumner to R. W. Davis; it conveyed all Sumner's property in this Territory, including \$48,025 in bank; presumed it was drawn by Magoon or came from his office; Sumner and Davis came in with it, thought Magoon was with them. On Nov. 3 there was an addition to the same trust deed from Sumner to Davis. Jan. 26, 1903, there was a cancellation by Davis to Sumner of trust deed dated October 31, 1902. No cross-examination.

## A RELUCTANT WITNESS.

T. McCants Stewart said he was an attorney-at-law and knew J. A. Magoon. Witness was attorney for Bishop Gulstan F. Roper in suit to have a new trustee for John K. Sumner under trust deed of 1898. Omitted the name of Wylie Davis from the list of defendants. Witness related his conversation with the Attorney-General over the telephone about why he omitted the name of Wylie Davis, in which he had said he thought Mr. Peters, partner of Magoon, came to ask him to leave out the name of Davis. Witness spoke apologetically of appearing where the professional life of a brother attorney was concerned. His recollection was that Magoon as well as Peters spoke to him about leaving out Davis as a party defendant. No mention was made to me by Magoon of a trust deed by Sumner to R. W. Davis. Think it was first brought out by Mr. Humphreys in the Circuit Court; might have been brought out first in the Supreme Court. At the time I was indifferent as to the controversy between Sumner and his relatives, as I represented only the Bishop.

Cross-examined, witness made a voluntary statement that he had a recollection of visiting the Bishop, of being told by him that he had surrendered the \$48,025 to Sumner and of advising the Bishop that it was doubtful if he could get rid of the trust in that way. My endeavor was to get the Bishop rid of that trust. (To Magoon.) You stated to me that you positively could break down the petition by cross-examination of the Bishop.

## TOO MUCH VOLUNTEERED.

The Attorney-General objected to evidence on cross-examination volunteered by witness in support of statements in respondent's answer.

Witness was allowed to say that he received a fee of \$500 for representing the Bishop, which Sumner admitted was reasonable and which was settled to Magoon's office.

(Continued on page 1.)

# WILCOX IN MEMORIAM

## Members of Bar Submit Their Tribute.

Whereas, William Luther Wilcox, a member of the Bar of the Supreme Court of the Territory and District Magistrate of Honolulu, has been taken from us by death;

Resolved, that the members of the Bar here assembled place on record our feeling of personal loss in his death and our sincere appreciation of his genial disposition as a man; his sound common sense and ability to read human character as a judge, and his trustfulness as a friend.

Resolved, that we extend our sympathy to the widow and brothers of Judge Wilcox in their affliction.

Resolved, that these resolutions be spread upon the minutes of the Supreme Court.

There was a good attendance of members of the Bar at the opening of the Supreme Court session yesterday morning, when the foregoing resolutions in memory of William Luther Wilcox were presented by A. F. Judd, chairman of the special committee of the Hawaiian Bar Association.

The speeches that followed repeated in substance the eulogies passed upon the lamented District Magistrate on the day following his death, when the various courts adjourned their sittings out of respect to his memory. Some of the leading sentiments expressed on this occasion, specially appointed by the Supreme Court, are given below. The remarks of the Chief Justice appear in full.

W. O. Smith, president of the Hawaiian Bar Association—Throughout his last unusual suffering Mr. Wilcox displayed great fortitude. He faced the final enemy calmly and with his usual kind consideration of others. He was a faithful, efficient public servant and a brave man.

A. S. Hartwell—I consider Luther Wilcox, his life and his memory, part of the wealth of Hawaii.

E. P. Dole—We all knew him as a friend and a neighbor, and shall cherish his memory as long as we live.

J. L. Kaulukou—There is one voice from end to end of this Territory and it is, "Aloha Wilcox." He was a good judge and a kind man, and that is the universal voice of Hawaiians. His place is vacant, his face is absent, but we shall always remember him for his worth. I knew him from 1874 as a public officer. This court is under obligation to him for his services. His ability and faithfulness also in assisting members of the Legislature are worthy of remembrance. No man has filled the office of police judge more faithfully in the interests of justice. After passing a hard sentence he would come down to sympathize with the offender and express regret for the necessity of inflicting the punishment.

R. W. Breckons—Notwithstanding the position he held was one inviting criticism, everybody spoke well of him in his life and universal sorrow was expressed at his death. It seems to me it requires more ability to preside over a police court than over a supreme court—not the ability to read and understand many volumes of law but the ability to read human nature. In a community like Honolulu, a seaport town, more harm can be done by an incompetent police court judge than by any other judge.

The Court (by Chief Justice Frear)—The Court gladly joins the Bar in this honoring a man like Judge Wilcox. The mere fact of the spontaneity, the universality and the genuineness of the respect shown him upon his death is in itself an impressive eulogy. The reason for this is not far to seek. Judge Wilcox was a man who did his duty and did it well, did it courageously and faithfully, and as a matter of course; but with tact and kindness and without affectation or ostentation. Equipped as he was in a remarkable degree with common sense and with sound judgment, knowledge of the Hawaiian language and of the Hawaiian people and of human nature in general, he filled with almost ideal perfection important public offices which he occupied for more than a third of a century, first as interpreter in the courts and the legislature, and then as District Magistrate of Honolulu, and his services for his country and for his fellow men were quite as far-reaching and fruitful of good in his capacity as a public official. The Territory cannot well afford to lose citizens of his stamp.

The motion is granted and the resolutions are ordered spread upon the minutes of the court.

A SCAR from a burn or scald is often dreaded more than the pain that is inflicted. Chamberlain's Pain Balm heats the injured part in less time than any other treatment and unless the injury is a severe one, no scar will be left. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

# ESTATE OF R. W. HOLT

## Suit of Colburn to Obtain the Control.

John F. Colburn's suit to have Carlos A. Long appointed administrator with the will annexed of the estate of the late R. W. Holt was again before Judge Gear, who had declined to surrender jurisdiction, yesterday. C. W. Ashford and Ella A. C. Long appeared for plaintiff; Robertson & Wilder for the grandchildren—William, Christopher, George and Edward Holt, and Mrs. Vivian Richardson—and heirs-at-law of the late Owen J. Holt; Frank Andrade for Mrs. Kentwell, another of the same family; Holmes & Stanley for Bruce Cartwright, and Hatch & Ballou for Henry Smith, trustee and successor to Cartwright.

Plaintiff contends that Cartwright's appointment with the will annexed was void, also the subsequent appointment of Henry Smith.

Cartwright's counsel claim first that his appointment is still in force and, secondly, that he made an attempt to resign which was not successful. Counsel for the heirs are indifferent, technically speaking, on that point, for if the Court should hold that Cartwright's resignation took effect they will fall back on the validity of Henry Smith's appointment as his successor.

The contention of plaintiff is that Cartwright's appointment was defective in that his application was to be appointed trustee, and that the court had no jurisdiction to appoint him as trustee. It is claimed that the administration was never completed in proper shape.

Judge Gear refused to recognize Hatch & Ballou on the ground that Henry Smith was not before the Court in this proceeding. He continued the hearing until Monday next, taking under advisement in the meantime the admissibility of Bruce Cartwright's letters of administration.

HOLT CASE AGAIN.

The resignation of Bruce Cartwright as administrator of the estate of Robert W. Holt, deceased, with a petition for the appointment of a successor, came before Judge De Bolt. S. M. Ballou asked that the matter stand over until Friday next and later asked leave to withdraw as counsel for Cartwright and to substitute Holmes & Stanley, noting at the same time his appearance for Henry Smith, trustee. C. W. Ashford, appearing for John F. Colburn, objected to any proceedings that might be had before the court. The hearing was continued until Friday.

PROBATE MATTERS.

Judge De Bolt has approved the first semi-annual report of William Pfotenbauer and Herman Schultz, executors of the estate of Otto Ernst Isenbergs, deceased, and confirmed the master's report thereon by Henry Smith.

Geo. R. Carter, guardian of the O'Sullivan minors, was granted permission by Judge De Bolt to mortgage real estate of the wards.

Judge De Bolt ordered temporary letters of administration on the estate of William Luther Wilcox to issue to W. O. Smith under a bond of \$3000.

Judge De Bolt holds he is disqualified to hear the final accounts of the estate of John Hopp, therefore assigns the matter to Judge Gear and continues it for four weeks.

DISTRICT COURT APPEALS.

E. S. Cunha has appealed, under the Fourteenth Amendment of the Constitution of the United States, from his sentence by District Magistrate Dickey to pay a fine of \$25 and costs for violating Act 4 of 1901 by permitting a minor to remain in a room of the Union saloon where intoxicating liquors were sold.

Myamoto has appealed to the Circuit Court from sentence by District Magistrate Dickey of imprisonment ten days and payment of costs for being found at night on the premises of another without permission.

Goto has appealed from District Magistrate Dickey in sentencing him to pay a fine of \$500 for selling spirituous liquor without license.

COURT NOTES.

Judge Gear has signed a decree carrying out the partition recommended by Christopher J. Willis, commissioner in the suit of Caroline Houghton vs. Percy K. Mossman and others.

In the damage suit of Wm. R. Riley vs. Metropolitan Meat Co., defendant moves to quash summons on the ground that it is not made returnable at any term of the First Circuit Court.

Y. M. I. President.

Supreme President F. J. Klerce, of the Y. M. I., arrived from California to visit the Councils established on the Islands, and reached Maui by yesterday morning's Helene. On Monday evening an entertainment and dance will be given in his honor by Gulistan Council No. 578 Y. M. I., of Walluku, at the Hall of Aloha Lodge, K. of P. Invitations for which have been issued.

MAUI NEWS.

The Volcano House is now the mecca for Hilo people who feel the need of a rest and bracing air.

More Japanese than can be accommodated have applied for passage on vessels leaving here for California.

H. Kendal, the contractor, is still in Honolulu engaged in putting up buildings for the Honokaa Sugar Co.

Tucker, a Hawaiian sailor on the Kalulani, was given four months at hard labor on Monday by Judge Hapai for assaulting Engineer Devellin of that steamer. Mr. Devellin was wearing his spectacles at the time and his face was cut by the broken glass.

There were two mass meetings held this week by the Federation of Allied Trades to consider question relating to the welfare of that body. Monday night at the regular meeting seven new members were taken in and seven applications placed on file.

# HILO IS SOON TO HAVE A U. S. QUARANTINE STATION

## A Requiem Service for the Pope—Japanese Cane Planters Lose Coin—Overland Telegraph Line—The Kohala Railway—Narrow Escape.

HILO, July 24.—C. C. Kennedy received a communication from Dr. Cofer at Honolulu this week stating that work would probably soon begin on the erection of buildings for a United States Quarantine Station at this place. There are three sites under consideration, of which a fifty-acre tract half way between Seconnet and Hilo is first choice.—Hilo Tribune.

## REQUIEM FOR POPE.

Next Tuesday morning, July 28th, at 9 o'clock, a solemn requiem service will be held at the Catholic church for the repose of the soul of His Holiness the Pope Leo XIII. Rev. Father Oliver will sing the requiem mass, assisted by Rev. Fathers Otto as deacon and Adrian as subdeacon.

Rev. Father Ulrich of Puna will preside at the organ, with Brothers Henry, Eugene, Charles and Raymond of St. Mary's school assisting in the choir. A solo will be rendered by Rev. Ulrich.

Select pieces will be rendered by Misses M. Gouvea and A. Carvalho of St. Joseph's school.

## FELL IN WITH THIEVES.

Akamoto and Tanaka, two cane planters from Waiakae, were in town Wednesday and claim to have lost a bag containing \$700 in coin in a manner that would make ashamed the rawest Reuben that ever landed at Castle Garden.

The two Japs cashed a draft for \$700 at the Hilo Wine & Liquor Co.'s store and carried the coin away in a sack. They stopped at J. D. Kennedy's, according to their story, and left the bag of coin on the floor in front of the show case, where it was forgotten. They went out of the store and in a few minutes, remembering their coin, returned to secure it. It had been taken. They at once laid their troubles before Sheriff Andrews, who is investigating.

J. D. Kenneday says he remembers that the Japs were in his store and that there were three or four other Japanese hanging around. He did not see the sack of money. The supposition is that the two farmers were shadowed by sharpers who made away with the bundle.—Hilo Tribune.

## WIRELESS TELEGRAPH'S LINE.

The managers of the telephone companies on this island are to meet President Cross of the Inter-Island Wireless Telegraph Company at Waiakae this month for the purpose of setting the details for operating an overland telegraph line between Mahukona and Hilo. The subsidy heretofore paid by Honolulu merchants ceased on July 1, and the one granted by the Government will not begin until all the terms of the agreement under which it was granted have been fulfilled. This includes the overland line on this island. The company has several plans in view one of which is to have the line constructed on fence posts. This, it is not believed, would be practicable and it is understood that the telephone companies will grant permission to string the wires on their poles.—Herald.

## OPENING OF TENNIS COURTS.

Invitations have been issued for the formal opening of the Hilo Tennis Club's courts on Saturday next. Sets will be played and refreshments served. The club has gone to a great expense in preparing the grounds and it is said the courts are the best in the islands.—Herald.

## THE RAILWAY.

Philip Peck will go to Honolulu tomorrow to attend a meeting of the Kohala-Hilo Railway. The meeting is for the purpose of reorganizing and electing a new board of directors of the company. This action was to have been taken when Mr. Peck was last in Honolulu but owing to the prevalence of dengue it was impossible to secure a quorum. It is said that as soon as the new board is installed bids may be asked for the construction of the road.—Herald.

## A NARROW ESCAPE.

On Saturday last as Mrs. Childs and her daughter, Mrs. Jack Bergstrom, were driving down Papakou gulch they were met by a Japanese on horseback who seemed bent on forcing their horse off the road. Mrs. Bergstrom called to the man to be careful but instead of doing so he put spurs to his horse which immediately began prancing. The horse driven by Mrs. Bergstrom was forced off the road and with the carriage and occupants went down a distance of about twelve feet. Mrs. Childs managed to escape unharmed but Mrs. Bergstrom was pinned under the buggy. Mr. Deyo, of Pepeekeo, happened to be near at hand and gave assistance to the ladies. When the carriage went over the Japanese rode away rapidly. Mrs. Bergstrom's injuries while painful are not severe. A chafeline watch she wore at the time was damaged beyond repair and the carriage could not be recognized by the owner.

## NEWS NOTES.

The Volcano House is now the mecca for Hilo people who feel the need of a rest and bracing air.

More Japanese than can be accommodated have applied for passage on vessels leaving here for California.

H. Kendal, the contractor, is still in Honolulu engaged in putting up buildings for the Honokaa Sugar Co.

Tucker, a Hawaiian sailor on the Kalulani, was given four months at hard labor on Monday by Judge Hapai for assaulting Engineer Devellin of that steamer. Mr. Devellin was wearing his spectacles at the time and his face was cut by the broken glass.

There were two mass meetings held this week by the Federation of Allied Trades to consider question relating to the welfare of that body. Monday night at the regular meeting seven new members were taken in and seven applications placed on file.

Judge Little left yesterday morning for a week's outing at the Volcano House. Since an attack of dengue last June Judge Little has been decidedly under the weather, and while able to attend to his duties has taken a week off on the advice of his physician.

Queen Liliuokalani arrived at Hokena yesterday on the Mauna Loa. A Portuguese at Onomea was arrested yesterday for a revolting crime.

C. Kaiser, representing Hyman Bros., Honolulu, has gone home via Kau. Representatives Lewis and Kekine returned from the capital yesterday. Coconut Island is becoming more popular as the summer advances. The crowd at the Island last Sunday numbered fully one hundred.

The members of Hilo's Volunteer Fire Company held a meeting this evening at their hall for the election of a chief and assistant.

J. A. Kennedy, president of the Inter-Island Steam Navigation Company, is making a tour of inspection of Kona and Kau points.

H. E. Cooper, Superintendent of Public Works, is expected shortly at Kawaihae at which place he will begin a tour of this island.

George Lycurgus and bride and Miss Lycurgus, sister of Mine Host Demosthenes, will visit Hilo in August. The party recently arrived from Greece.

# THE GOVERNOR VISITS KOHALA

The Governor's visit was the most interesting event of the week. His Excellency arrived at Mahukona on Sunday evening, by the Iroquois and was the guest of Mr. and Mrs. E. A. Fraser until Monday afternoon, when he proceeded to the home of Eben Low in Kohala. A reception was tendered him on Tuesday evening at the Social hall, which was artistically decorated by Miss Mabel Wood and Mrs. William MacDougall. Mr. Dole received in a bower of ferns and bamboo, with the stars and stripes and Hawaiian flag twined overhead. He was assisted by Mr. and Mrs. Edwin Olding, Miss Clara Wight and Mr. John Hind. There was a very large attendance after the reception and dancing was enjoyed during the remainder of the evening.

The Governor accompanied by Mr. and Mrs. Eben Low left for Mr. Horner's ranch, on Wednesday.

Mrs. Edwin Olding gave a bathing party and picnic at Kohala landing, the occasion being her son's fourth birthday.

Mrs. B. D. Bond gave an enjoyable picnic on July 16th.

Mrs. John Hind gave a musicale recently. She was assisted by Mr. and Mrs. Edwin Olding, Miss Netta Kay, Mr. Frank Paetow, soloists; Mr. Featon-Smith, violin; Mr. Harry Duncan, cither. There several enjoyable quartets and duets.

Mr. and Mrs. Herbert Miel of Honolulu are in the district.

The home of the Rev. E. B. and Mrs. Turner has been brightened by the arrival of a daughter.

Mr. W. O. Taylor is in Honolulu on a short vacation.

There was an exciting cattle drive at Pukea ranch on Monday.

## Haystack Tomb.

The Hayselden family tomb in Lahaina Cemetery is nearly completed. It has been very carefully constructed, according to plans prepared by Architect Traphagen of Honolulu. Some of the dimensions are as follows: Extreme height, 12 feet; height above the earth line, 8 feet; inside measurement, 14 feet by 8. There are concrete steps, descending five feet to a landing three feet wide at the bottom. The iron doors are four feet wide, and there is an iron railing around the front. For several weeks past, Mr. Frederick H. Hayselden has superintended the work. He was ably assisted by his son Fred, and a number of Japanese laborers were constantly employed.—Maui News.

## Encouraging Vanilla.

The News takes pleasure in editorially reproducing a local reading ad. in Tuesday's Advertiser, substantially as follows: "For sale. First class vanilla cuttings in six-foot lengths at \$2.50 per 100. F. O. B. Suva. Address W. Livingston, Navua, Fiji." There is no industry, no matter how seemingly unimportant which should not be carefully exploited and the News considers it a sacred duty to encourage such things in all possible ways. An intelligent effort should be made to cultivate the vanilla bean on Maui as a possible source of future revenue.—Maui News.

## Diversified Industries.

The matter of diversified industries finds an earnest supporter in Governor Dole, who in a private conversation with several gentlemen in Walluku last week expressed it as his abiding faith that the future will see many permanent and paying industries established on the Islands. It does not take a very comprehensive vision to see this, for with a soil so fertile and fruitful as that of the Hawaiian Islands, it is a moral certainty that certain lines of Island productions, other than cane, will be developed into paying propositions. Coffee, sisal, canned pineapples, bananas, castor and vanilla beans and vegetables are on the list of possibilities some of which will become certainties.—Maui News.

Delegate Wilcox denies the story of the Faith Cure ministers that he has joined their church. He says that he couldn't live by fasting.

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OF LONDON, FOR FIRE AND  
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Accumulated Funds .... £3,975,000.

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The Waiwala Agricultural Co., Ltd.  
The Kohala Cigar Company.  
The Waimoa Sugar Mill Company.  
The Fulton Iron Works, St. Louis, Mo.  
The Standard Oil Company.  
The George F. Blake Steam Pumps,  
Weston's Centrifugals.  
The New England Mutual Life Insurance  
Company, of Boston.  
The Aetna Fire Insurance Company,  
of Hartford, Conn.  
The Alliance Assurance Company, of  
London.

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OF HARTFORD.

**THE NEW FRENCH REMEDY.**  
**THERAPION.** This successful  
remedy, used in the Continental Hospitals by Ricord,  
Fornet, Jobert, Velpeau, and others, combines all  
the desiderata to be sought in a medicine of the  
kind, and surpasses everything hitherto employed.  
**THERAPION No. 1** maintains the world-  
renowned and well-merited reputation for the  
cure of the kidneys, pain in the back, and  
kindred ailments, affording prompt relief where  
other well-tried remedies have been powerless.  
**THERAPION No. 2** for impurity of the blood,  
scanty, purplish spots, blotches, pains and swelling  
of joints, gout, rheumatism, and all diseases for which  
elimination of the blood is necessary, and for which  
it has been too much a fashion to employ mercury,  
sarsaparilla, etc., to the destruction of sufferers' teeth  
and ruin of health. This preparation purifies the  
whole system through the blood, and thoroughly  
eliminates all poisonous matter from the body.  
**THERAPION No. 3** for exhaustion, sleep-  
lessness, and all distressing consequences of  
disipation, worry, overwork, etc. It possesses  
surprising power in restoring strength and vigor to  
those suffering from the enervating influences of  
long residence in hot, unhealthy climates.  
**THERAPION No. 4** is the principal  
remedy for the cure of the principal  
diseases and ailments throughout the world.  
Chemists and Merchants throughout the world.  
Price in England, 2s. 6d. and 4s. 6d. In order-  
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white letters on a red ground) affixed to every  
genuine package by order of His Majesty's Home  
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Canadian Pacific Railway.

COURT DIES  
WITH HONORThe Final Session  
of Fire Claims  
Commission.

All of the members of the Fire  
Claims Commission were present at a  
meeting of that body held in the Judd  
building yesterday morning which  
proved to be the last. The court, after  
transacting some winding up details  
of business, adjourned sine die. It was  
created by an Act of the Legislature of  
1901, Governor Dole constituting it by  
the following appointments:

F. W. Macfarlane, chairman; F. J.  
Testa, A. N. Kepolka, J. G. Pratt and  
A. C. Lovekin. The Commission ap-  
pointed J. M. Riggs as its secretary,  
who performed his duties in a very  
methodical manner. More than 6700  
claims for damages in property lost in  
the sanitary fires of 1899 and 1900 were  
heard and adjudicated.

The awards amounted to \$1,473,173.  
Ten per cent of this amount was paid  
out of funds accruing mainly by the  
refund of interest by the United States  
Government on the Hawaiian national  
debt at annexation, which the Legis-  
lature devoted to that purpose, a defi-  
ciency of that percentage being sup-  
plied from the Territorial Treasury. This  
instalment left a balance of \$1,325,855.70  
to be paid. For its liquidation the  
United States Congress appropriated  
\$1,000,000 in cash and authorized the  
Government of Hawaii to issue bonds  
for the remaining amount, in round  
figures, of \$326,000. Of this fire claims  
bond issue there had been sold, up to  
the closing of the Treasury at noon  
yesterday, \$241,000, leaving yet to be  
disposed of \$85,000 belonging to claim-  
ants.

At the closing meeting a resolution  
was adopted instructing Secretary  
Riggs to turn over the archives of the  
Commission to the Secretary of the  
Territory. It was also decided and at  
once carried out, to turn into the  
Treasury, as a Government realization,  
the fund of \$5077.25 collected in fees  
from attorneys for certificates of aw-  
ard. There was a fight in the courts,  
it will be remembered, against the pay-  
ment of fees after some had been paid  
under protest. Judge Gear decided in  
effect that the Commission had no au-  
thority to tax fees, but also that it was  
not bound to furnish transcripts of  
judgments. If the secretary furnish-  
ed such he might make a charge as a  
perquisite to himself for the service.

This put the attorneys who had paid  
fees in a box when the United States  
Treasury agent came here to pay the  
awards. They could not get the fees  
back without surrendering the certifi-  
cates in their custody, and if they  
did this they could not collect their  
awards without presenting the certifi-  
cates. Hence the Government comes in  
for the snug realization of more than  
five thousand dollars.

WILL HELP GET  
APPROPRIATIONS

If Congressman McCleary of Minne-  
sota can do it Hawaii will get the big  
appropriations she wants for naval  
and army improvements. Representative  
McCleary spent the entire day previous  
to his departure on an inspection of the  
naval station site at Pearl Harbor and  
in an investigation of the needs of the  
army here. He was taken about by  
Major McClellan on Thursday and  
showed also the site of the fortifica-  
tions which the War Department in-  
tends to build in Hawaii. A visit to  
the Kahauiki site for the military  
camp was also made.

In the afternoon Congressman Mc-  
Cleary visited Pearl Harbor in com-  
pany with Secretary Carter, Walter Dil-  
lingham and A. L. C. Atkinson. The  
naval launch was placed at the dis-  
posal of the party by Captain Rod-  
man who was himself unable to go.  
Mr. McCleary also expressed himself  
very forcibly as to the needs of Hawaii,  
and was much impressed with the need  
of coast defenses for Oahu, which is  
the half way station between the main-  
land and the Philippines. McCleary is  
a member of the House Committee on  
appropriations and as all Hawaiian  
items must be passed upon by that  
committee naturally is much interest-  
ed in what appropriations are to be  
asked.

THE TWO GRAVES  
TO BE TOGETHER

A petition for probate of the will of  
the late William Phillips was filed yes-  
terday by Cecil Brown, whom the will  
nominates as executor. The value of  
the estate is given as \$18,000, of which  
\$5,000 represents real property. It is  
left in equal shares, after other direc-  
tions are carried out, to the widow on  
the one part and heirs of a sister who  
died in Syracuse, N. Y., on the other  
part.

Instructions are given for the care of  
the testator's burial plot, including the  
erection of a suitable monument, and  
this request is added "I also desire  
and request that my wife Mary Phil-  
lips shall upon her decease be buried  
in said lot alongside my grave."

After the arrival of Admiral Terry  
it is expected that something definite  
will be done regarding the construc-  
tion of a commandant's house on  
Punchbowl. Plans for a \$15,000 house of  
very pretty design have been drawn by  
Captain White and are in the hands  
of the Navy Department for approval.

THEY CURE BY FAITH,  
PRAYER AND FASTINGRev. J. Kekipi Explains the Principles of the  
Queer Native Sect of Which He  
Is the Head.

(From Monday's daily.)

"With faith everything is possible."

"We cure by fasting and praying."

"Our religion is the religion of the Bible, we believe  
every word that is in the Holy Book."

"We can cure all that have faith. Leprosy, tumors,  
broken legs, everything have we cured without medicine. Many  
lepers have we made clean."

"Our religion is for the poor and the sick—for the poor  
that have no money for medicine."

The above in brief is the religion of  
the peculiar sect of which Rev. J. Ke-  
kipi is the acknowledged head. Not  
that it is a new religion in the islands,  
for it has flourished with varying suc-  
cess for more than fifty years, but the  
Rev. Mr. Kekipi is the man whom the  
Puna kahuna now in Oahu Prison  
charged with being the head kahuna  
of all. The Rev. J. Kekipi denies the  
insinuation however and says that his  
religion is directly opposed to kahuna-  
ism and further that he never taught  
the boy as the latter alleges. In fact  
Mr. Kekipi charges that the boy learn-  
ed his trade from John Akina at Koo-  
lau, who it is claimed has been chas-  
ing after false gods.

There is to be a convention of the  
"Hoomana Naauao" in Honolulu  
today and delegates from all over the  
islands are here in attendance. These  
are semi-annual affairs but this is the  
first convention held in Honolulu for  
some time. Last month the church  
celebrated the fiftieth anniversary of  
its founding.

Rev. J. Kekipi lives directly in the  
rear of his little church on Hucstane  
lane, off King street near Beretania.  
He is a man upwards of seventy years  
of age, gray headed and with a white  
moustache, and with kindly, twinkling  
eyes. He can hardly speak a word of  
English but there was no lack of material  
among his congregation yesterday  
for interpreting. The interview with  
the churchman was a little out of the  
ordinary. He talked but little, but the  
interpreter who is an ardent co-religion-  
ist filled in all the blanks. She is  
a Mrs. Baker and lives near the old  
preacher. Mrs. Edmunds of Hilo also  
added her mite to the conversation. She  
claims to have been cured of leprosy  
by her faith in God and the bible.

There is no question but what the  
members of the sect do believe. They  
have an unwavering faith in the bible  
and in God. It permeates their whole  
being—it shines from their eyes as  
they talk. They almost make one be-  
lieve they have discovered the great  
truth.

"We call our religion 'Hoomana Na-  
auao,'" said Mrs. Baker, speaking part  
of the time for herself and part for  
Rev. Mr. Kekipi.

"There is no word in English for  
it. Some people thought it was Chris-  
tian Science, but there is a wide dif-  
ference, though it is something like  
I wish though that Matthew was here  
to explain. It is like the Protestant  
religion too. We believe in the bible  
like they do, but we believe in every  
word of it. We think every word is  
true and we try to follow that out.  
So we don't believe in doctors—but in  
healing ourselves. When a child is  
sick where there can be no sin, then  
we know from the Bible that the in-  
firmities of the father will be visited  
upon the son even unto the third gen-  
eration.

"Kahunaism? No we have cut that  
entirely out. Hawaiian families al-  
ways have their gods, some do yet—  
the shark, a bird or a fish, but we no  
longer have any of that."

"How many members have you?"  
"Here we have 360 in this church  
alone," said Mr. Kekipi. "But there  
are other churches in all the islands,  
and also one at Koolau and Ewa and  
Waialua on Oahu. Tomorrow we have  
a meeting of all the churches. Ten  
delegates come from Hilo and thirteen  
from Lahaina on today's steamer and  
tomorrow more will come."

"Our religion is a religion for poor  
people, for people that can't afford to  
pay doctors," continued Mrs. Baker,  
speaking part for herself and part for  
the minister. "Our faith cures with-  
out medicine and many poor people  
come to us. One lady had a tumor in  
her stomach. She came to Honolulu to  
see the doctors and they said she would  
have to die—that nothing could save  
her. Then she came to us. Mr. Ke-  
kipi told her what to do, after fasting  
out what sin she had committed, and  
told her to fast fifteen days. The tumor  
came out in chunks. I would not be-  
lieve it but I saw this myself. Her  
name" It was Mrs. Dudoit of Lahaina,  
and she came down for this meeting  
tomorrow. In this religion fasting  
counts above anything else. Some peo-  
ple have been known to fast for forty  
days with us. It depends upon their  
faith. On one day Mrs. Dudoit fasted  
and the next she could eat provided it  
did not interfere with her praying.  
This just happened in June, last  
month.

"Fasting is the principal thing,"  
continued Mrs. Baker. "In our reli-  
gion we have the same bible as the  
Protestants, but we believe every word  
of it and we believe that we can heal  
through the bible without medicine. No,  
we do not place the bible on the altar  
part. The most of the people of our  
religion are the sick and poor."  
"It is true," broke in Mrs. Edmunds

who had been an interested listener. "I  
myself was cured of a very bad disease.  
I had sores on my face and body like  
leprosy. The doctor did me no good  
and then I heard about this. They  
gave me no medicine, but I fasted for  
ten days and prayed too. Now I am  
cured, see." And the woman showed  
a perfectly clear and smooth skin,  
which she said had been covered with  
hideous sores but a year ago.

"How do you cure a broken leg?"  
Rev. Mr. Kekipi was asked.  
"That is caused by something you  
have done," Mrs. Baker said without  
interpreting the question. "You had  
done something before hand, like  
breaking a promise. Everything comes  
from some cause. A broken leg is  
cured by prayer and fasting. If God  
made heaven, earth and man, he can  
cure man."

"Like Jesus did," interrupted Mrs.  
Edmunds. "We use nothing like the  
kahuna in this—no ti leaves or chicken  
or pig. Every Hawaiian family had  
some god; a bird or fish. That is the  
reason so many died—they all swore  
to worship God only and instead they  
worshipped other gods."

"Our religion don't stop you from go-  
ing after medicine if you want it," said  
Mr. Kekipi who had not been hitherto  
taking much part in the conversation.  
"If you haven't got sufficient faith to  
be cured we don't object to them get-  
ting medicine if they want it."

"What do you do in case of a bad  
cut or a leg being taken off?"  
"We look for the cause—a broken  
promise or some sin," said the minis-  
ter. "We ask the patient to think and  
see what brought on this trouble and  
sickness. If you broke promises or did  
any evil it is to be told. If you can't  
tell what it was, then you are asked to  
open the bible, and the chapter in the  
bible you open to will explain exactly  
how you got our finger out."

"Now I had a young relative once  
who broke his leg. He was in the hos-  
pital for three weeks and the doctor  
said that nothing could be done—the  
leg must be cut off above the knee. He  
wanted to do this, but I took the boy  
away then. I told him to think over  
the trouble that caused it. Then it  
seemed that he had been friendly to  
somebody else's wife. The woman's  
husband chased after him and he stum-  
bled on a fence and broke his leg.  
When once I found the cause he fasted  
and prayed and got well. He is all  
right today and no medicine was used."

"If anyone thinks they should use  
medicine we do not stop them—they  
can call doctors if they want. Fasting  
and prayer is the principal thing  
though."

"For some, one day's fasting is  
enough," said Mrs. Edmunds again.  
"I had to fast seven days, drinking only  
water. Sometimes I could eat, but I  
could not say anything out of the way  
and had to pray. Everything depends  
upon the faith. A year and a half ago  
I was a Protestant and didn't believe  
this either. But it cured me of lepro-  
sy and now I believe. Oh yes, I go to  
church, the Protestant church now. I  
listen too but it comes in one ear and  
goes out of the other. I go now only  
to look at the pretty dresses and hats.  
This religion is all in the bible, you  
can find it in the First and Second  
Corinthians and in Romans. From  
that chapter we took our name."

"J. H. Poloaheua was the founder  
of the religion," said Mrs. Baker. "He  
was nurse for Captain Long and was  
very sick with fever. Then he found  
one day in the bible where faith only  
could cure and he got up well. From  
him Rev. Kekipi learned the religion  
and he is now the head of the church."

"Yes, we cure leprosy. We have  
cured many cases of leprosy and of  
asthma and consumption too. The  
diseases that doctors cannot cure we  
cure."

(From Monday's Daily.)

Ex-Delegate R. W. Wilcox is the  
latest convert to the faith cure and  
Rev. J. Kekipi's church. Not only  
that, the delegate who was told that he  
had but a few months to live has al-  
most recovered his health through  
faith, prayer and fasting.

"R. W. Wilcox joined our church on  
June 6th just before he went to the  
island in Wailuku," said the Rev. Mr.  
Edmunds yesterday. "When Delegate  
Wilcox came home from abroad the  
doctors advised him that he could not  
live long. He had trouble with his  
abdomen. Now he is almost well and  
can go about by himself where before  
it took two men to take care of him.  
Fasting and prayer did it."

The Independent gives this bit of  
news: "A report is abroad that Bishop  
Wilks of revered memory, now of Tor-  
onto, has been recognized by the Acting  
Primate of New Zealand."

GOVERNOR  
AT WAILUKUHearty Reception  
and Luau  
Given.

MAUI, July 25.—Wailuku's reception  
to Governor Dole last Saturday, the  
18th, was a hearty one. Every resident  
or visitor in town during the day and  
evening not only had the pleasure of  
meeting the chief ruler of the Territory  
but also had an enjoyable time.  
The luau given in the government  
schoolhouse at 1 p. m. was well-attend-  
ed the large hall being packed to the  
doors. Three long tables extending the  
whole length of the building and one  
smaller table on the platform could not  
accommodate all the guests. The Gov-  
ernor and party sat at the middle table  
of the three arranged in the hall. Felici-  
tous speeches were made by Gov. Dole,  
Editor G. B. Robertson, John Richard-  
son and D. H. Case.

In the evening at the K. of P. hall,  
which was crowded not only with the  
townspeople but also by a large num-  
ber of residents of Puunene, Pala and  
other parts of Central Maui, a recep-  
tion was given the Governor from 7 to  
8:30 p. m.

From 8:30 to 11 o'clock dancing was  
indulged to the music of a stringed  
band. Messrs. Schumelster and G. B.  
Schrader also played on the violin and  
piano in their usual delightful manner.  
The Governor spent the night at the  
Waikapu home of Col. W. H. Cornwell  
and next day went aboard the Iroquois  
at Kihel.

The committees in charge of Satur-  
day's festivities were as follows: The  
all-Maui reception committee, Messrs.  
H. P. Baldwin, W. H. Cornwell, W. A.  
McKay, R. W. Filler, J. N. S. Williams,  
A. N. Hayselden, W. O. Aiken and Rev.  
J. Nua. The Wailuku reception com-  
mittee, Carl Waldeyer, W. T. Robin-  
son, Geo. B. Schrader, W. E. Bal and  
D. H. Case. The committee of arrange-  
ments, G. B. Robertson, A. Enos, J. K.  
Kahookole, D. Crowell and Jos. Welch,  
and financial committee, Messrs. R. W.  
Filler, T. B. Lyons and G. B. Robert-  
son.

## THE PUUNENE CROP.

Hurrah for Puunene! The largest  
crop of sugar in the history of the plan-  
tation has just been taken from the  
most extensive sugar estate of Hawaii.  
Thirty-two thousand five hundred and  
ten tons of sugar is the unparalleled  
amount, eclipsing all previous records  
by thousands of tons.

Yesterday, the 24th, the great mill  
stopped grinding, its yearly task hav-  
ing been not only the crushing of the  
cane of Puunene but also that from the  
adjoining lands of Kihel. The total  
amount of cane which has passed be-  
tween its rollers from both plantations  
is 259,225 tons which yielded in round  
numbers, 37,000 tons of sugar, 32,510  
tons for Puunene and the balance of  
4,490 tons for Kihel.

In celebration of this immense yield  
a grand ball will be given in Puunene  
mill the evening of August 1st to  
which, it is said, four hundred invita-  
tions have been issued. Gov. Dole has  
consented to allow a part of Berger's  
band to come to Maui for the ball on  
August 1st, and the whole band for the  
races of August 12th.

## THE DROUTH BROKEN.

No more drouth in the Keane-Na-  
hiku region. For the last two weeks  
rain has been frequent there rendering  
the mountain streams at times impos-  
sible. This rain in the mountains of  
Koolau has filled the ditches of H. C.  
& S. Co., Pala and Hamakua.

## BASEBALL AT WAILUKU.

During the afternoon of the 19th a  
baseball game was played at Wells  
Park, Wailuku, between the Males of  
Kahului and the Lahainas. The latter  
made a gallant fight for seven innings  
and for a long time it looked as though  
they would win, but in the eighth and  
ninth innings they "went to pieces,"  
and the Males increased the score from  
9 to 21. The record of the game was  
21 to 9 in favor of Kahului.

## STRAY NOTES.

At noon today, the 25th, in the Hale-  
akala K. of P. Lodge room of Wailuku  
(formerly known as Bailey's Hall), a  
subscription luau will be given to raise  
funds to assist in the formation of a  
ladies' secret society, to be known as  
Nawaleha Court, K. of P. This society  
is to be a sort of a companion associa-  
tion to the Hawaiian Pythian lodge.  
This evening in the court house a dance  
will be given by the same ladies to  
raise money for the same purpose.

During the afternoon of the 23d,  
twenty-five of the boy and girl friends  
of Virginia Elizabeth McConkey, the  
little daughter of Dr. and Mrs. W. F.  
McConkey of Pala, met at her parents'  
residence to celebrate her fourth birth-  
day. It was a most enjoyable party  
for the little folk.

"A friend  
in need is a  
friend in-  
deed." This  
is an old  
proverb,  
but as true  
as it is old.  
Here is just  
such a friend.  
Never be  
without it. Keep it  
close at hand all the  
time.

Ayer's  
Cherry Pectoral

It will prove a good friend when you  
have a fresh cold, bringing immediate  
relief. You will find it equally true  
in old colds, bronchitis, whooping-  
cough, asthma.  
And you will declare it "the best  
friend in the world" if you will use  
it for an irritable throat or weak lungs.  
It acts as a strong tonic, clearing up  
the throat, giving tone to the relaxed  
tissues, and greatly strengthening the  
lungs.  
There are many substitutes and imi-  
tations. Beware of them! Be sure you  
get Ayer's Cherry Pectoral.  
Two sizes. Large and small bottles.  
Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.  
HOLLISTER DRUG CO., Agents.

## Our Best Advertisement.

## Pure Drugs

and

## Chemicals

## TOILET ARTICLES

and the choicest

line of

## PERFUMERIES

At Reasonable Prices. Call

and Convince Yourself.

Prescriptions a Specialty.

Hollister  
Drug Company.

Fort Street.

CHAS. BREWER & CO'S  
NEW YORK LINE

## FOOTING SURY

Selling from

NEW YORK to HONOLULU

On or about July 15. FREIGHT

TAKEN AT LOWEST RATES.

For freight rates apply to

CHAS. BREWER & CO.

37 Kilby St., Boston.

OR C. BREWER & CO.,

LIMITED, HONOLULU.

W. H. Cornwell, Jr., of Waikapu is

sick with the dengue.

Mr. and Mrs. W. E. Shaw of Nahiku

will make a trip to the Coast in the

early part of August.

Mrs. J. A. Young and family who

have been at Olinda House for several

weeks and Mrs. W. O. Smith who has

been visiting at Hamakua-poko return

to Honolulu by the Claudine today.

Senator and Mrs. H. P. Baldwin and

family are occupying their new cottage

recently completed on the old Mauna-

olu Seminary premises in Makawao.

They will remain in Makawao all sum-

mer.

Wednesday, the 22nd, Misses Edith

and Sadie Alexander of Oakland ar-

rived on Maui and will make a long

visit with their brother, Mr. Frank

Alexander, headluna of Pala plantation.

Last Saturday afternoon, the 18th, the

"Reds" beat the "Yellows" by a goal

or so after a close contest at polo on

the Pala grounds.

**Bombay-Driven Fire Insurance Co.**

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein, on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., Agents.

**German Lloyd Marine Insurance Co. OF BERLIN.**

Fortuna General Insurance Co. OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

**General Insurance Co. for Sea River and Land Transport. of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

**YOUR SUGAR CROP**

Depends on the right quantity and quality of Ammonia. It has to feed upon Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

**NITRATE OF SODA**

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director.  
19-16 John St., New York,  
U. S. A.

**HAWAIIAN PROMOTION COMMITTEE**

"The Hawaii Promotion Committee representing the Territory of Hawaii, the Chamber of Commerce and the Merchants' Association," was yesterday chosen formally as the title under which the Tourist Committee will carry on its work.

The committee has taken as its headquarters the store room in the Alex. Young building, fronting on Hotel street and its preparation for the uses to which it will be put is now going forward. The room has been leased for one year with the privilege of renewal for a longer period.

The committee selected Thursday as its regular meeting day, and each week the members will gather to discuss the work. Arrangements for immediate advertising and printing were made.

**FOR WEAK NERVES.**

"The battle of life to-day is not fought with the muscles but with the nervous system," so says Sir J. Orlinton Browne, a high medical authority. Another authority, the late Dr. J. M. Fothergill, adds, "The more the digestion weakens and the liver and kidneys become inactive and sluggish, the more the blood becomes laden with waste matters, causing many disorders; among them gout, rheumatism, heart trouble, asthma and prostration of the nerves. A strong set of nerves, a set to work with, a set to enable you to stand the world's battles and collisions without breaking down, must be a well-nourished set of nerves; and well-fed nerves have got to be part and parcel of a strong, well-fed body. That is the idea; and how then are weak people going to obtain the strength and the assimilating power which lies behind it? By using

**WAMPOLE'S PREPARATION** a remedy known all over the world as the most genuine and quick acting of food-tonics and blood purifiers. You will search far for a case of debility—no matter what the ultimate cause—which this modern and scientific medicine cannot at once relieve and cure. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Dr. Edward Clark says: "From a long experience in the use of cod liver oil, I have no hesitancy in saying that I regard your preparation the best one on the market." It cannot fail, and is beneficial from the first dose. Guaranteed to increase weight and renew strength. If hard to please, try it. Genuine is sold by all chemists here and everywhere throughout the world.

**LAW WAS NOT IN EFFECT 'ATTACHED****A New Demurrer Filed Under Libel for in the Korean Cases.**

In a demurrer filed in the Korean cases by E. F. Bishop it is charged that the law under which the prosecutions are brought by Berger was not in effect at the time it was alleged to have been violated. There has been a joinder in the demurrer and the trial will now be on the law points raised by Bishop.

The most important allegation in the demurrer is the first:

"That the time of the defendant's solicitation of the migration to the Territory of Hawaii from Korea of said alien to perform unskilled manual labor upon sugar plantations of said Territory is averred in said amended complaint, and in each count thereof, to have included the time between November 1, 1902, and March 3, 1903, whereas, the act under which said action is brought had not then been enacted.

It is further alleged that the acts averred to have been committed by defendant do not in fact constitute solicitation of the immigration of aliens from Korea and further that the establishment of a Labor Bureau with the Deshler Bank of Chemulpo in Korea is not averred to have been made by the defendant and that no time is specified.

It is further alleged as a reason for dismissal:

"That said amended complaint does not show that the defendant is indebted to the plaintiff, or that the plaintiff has been aggrieved or injured by any or all of the acts in said amended complaint charged against this defendant. That said amended complaint, although purporting to show one hundred and thirteen separate and distinct offenses and violations of law and penalties incurred thereby by the defendant, in fact shows but one, (if it shows any violation of law,) offense committed or penalty incurred on the part of the defendant, in as much as all the counts in said amended complaint, in the first paragraph thereof, are based upon one and the same statement of facts, none of which form or constitute a direct solicitation or a solicitation in any sense of the particular alien named in said count.

"That if said amended complaint be regarded as showing one hundred and thirteen separate violations of law on the part of defendant, and one hundred and thirteen separate penalties incurred by him thereby, then one hundred and thirteen separate verdicts and judgments would be required therefor, and that the amended complaint is not so drawn as to permit several verdicts and judgments."

**A WASTE OF MONEY****IN FRUITLESS EFFORTS TO CURE STOMACH TROUBLE.**

Not Artificial Digestion But Natural Digestion is What is Needed. How This May be Obtained.

More money is spent experimenting with worthless medicines for stomach trouble than for any other disease. These preparations may temporarily aid digestion but they cannot cure indigestion. They go at it the wrong way.

To permanently cure indigestion, dyspepsia or other stomach trouble, the medicine should act upon the digestive organs themselves—not upon their contents. It should not do the stomach's work but should make the stomach able to do its work.

This is what Dr. Williams' Pink Pills for Pale People will do as no other medicine can. They are not composed of digestive ferments, which promote an artificial digestion, but they tone up the stomach, restore the weakened functions of the digestive organs and thereby promote natural digestion. A case in point is that of Arthur McLaughlin, of No. 2728 North Lincoln street, Chicago, Ill. He says:

"For a long time I was troubled with severe pains in the stomach—a case of chronic indigestion. I would feel a craving for food, but when I ate I experienced those wretched pains which nearly drove me distracted. My kidneys also became affected. I tried several different stomach medicines and, for a while they seemed to help me. Then the same old pains would come back. This went on for nearly two years and at times I was pretty much discouraged."

"One day a friend advised me to try Dr. Williams' Pink Pills for Pale People. I did so. Before I finished a box the pains were less frequent and less severe, and by the time I had finished three boxes the pains were a thing of the past. Now I can eat anything and enjoy it and I feel like a new man."

Dr. Williams' Pink Pills for Pale People will not only cure stomach trouble but are a positive cure for all diseases arising from impoverished blood or shattered nerves. They are sold by all dealers or will be sent postpaid on receipt of price, fifty cents a box or six boxes for two dollars and fifty cents, by addressing Dr. Williams Medicine Company, Schenectady, N. Y. A diet book sent free upon request.

**Under Libel for Salvage of \$50,000.**

(From Thursday's Daily.)

J. D. Spreckels & Brothers Company, a California corporation, by its attorney-in-fact, W. M. Giffard, late yesterday afternoon filed a libel in the United States District Court against the steamship Clavering, now lying at the port of Honolulu, her tackle, apparel, furniture, engines, boilers, machinery, boats, appurtenances and cargo, laden on board of said steamship, whereof David D. Barton is master, and against all persons intervening for their interests therein, in a cause of salvage, civil and maritime.

The libellant claims \$50,000 as the value of salvage services rendered to the steamship Clavering as related in the libel. Holmes & Stanley, Smith & Lewis and R. W. Breckons are proctors for libellant.

Such services were rendered by the tug Fearless, of which libellant is owner, and the tug Charles Counselman, of which it is the charterer. The tonnage of the Fearless is 167.30 tons, she is alleged to be well equipped in every respect for salvage purposes, and her value is stated to be \$75,000. The tonnage of the Charles Counselman is 123 tons, she is also stated to be well equipped for salvage purposes, and her value is given as \$50,000 or thereabouts.

The tonnage of the Clavering is stated as 255 tons net register, her value \$350,000, that of her cargo \$150,000 and of 2000 tons of coal on board \$15,000.

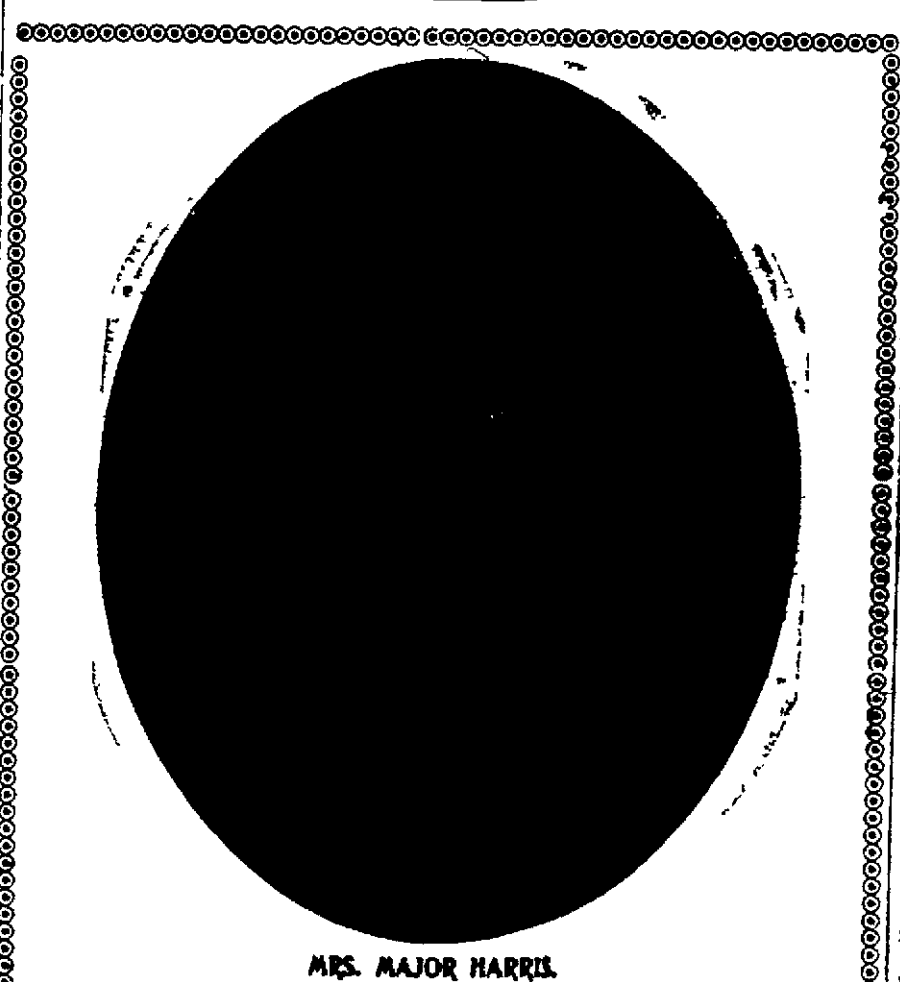
It is related how the Clavering stranded on the reef outside of Honolulu harbor on the night of Sunday, July 19, and that the Charles Counselman went out to offer relief at 1:30 a. m. on the next day, followed by the Fearless. Both tugs pulled on their hawsers attached to the Clavering from 5:25 a. m. on the 20th of July to 3:15 p. m. the same day, when the Clavering through their efforts floated into deep water. It is claimed that the tugs did all of the work, excepting for the assistance of the U. S. S. Iroquois from 2:20 to 2:45 on the day mentioned.

It is prayed that the court may decide what proportion of the value of the Clavering and her contents should be awarded to libellant for salvage, and that the vessel and all belonging thereto be condemned and sold to pay the award and all costs of the proceedings.

Marshal Hendry attached the Clavering under the libel. It is probable a bond will be given without delay for her release, so that she may proceed on her voyage to Mexico.

The suit came sharp on the heels of Captain Barton's refusal to pay salvage of \$50,000 on a demand jointly made in behalf of the Fearless and the Counselman.

As soon as the necessary official order comes from the Navy Department the suit of the United States vs. Honolulu Plantation Co. will be formally dismissed in the Federal Court. There has been no payment of the compromise price, \$75,000, as yet, and nothing will be done until the receipt of official information from Washington which is expected on the next steamer.

**BATTLE FOR SOULS NOW BEING WAGED IN HONOLULU**

MRS. MAJOR HARRIS.

Yesterday was the second day of what was to be the Campmeeting of the Salvation Army. It proved to be a very busy day for the lads and lassies of this church militant.

Lieut. Wilcocks, the officer in charge of the work at Ewa, was in charge of the Kneedrill at 7 A. M. This meeting was followed at 11 o'clock by a Holiness conclave led by Major and Mrs. Harris. The visiting officers then went to the prison where another meeting

**TANBARA TO THE PRESS****Tells a Reporter He Is Too Scared to Eat Much.**

(From Wednesday's Daily.)

The last ray of hope for Tanbara Giesburo has faded, and the murderer of Capt. Jacobsen has less than three weeks to live. Of this he was informed yesterday in the Federal Court by Judge Esteé who reaffirmed the sentence pronounced upon him last October in these words, viz:

"It is ordered, adjudged and decreed that the sentence heretofore and on the thirty-first day of October, A. D. 1902, pronounced against the said defendant, Tanbara Giesburo, be by the Marshal of the District of Hawaii executed on Friday, the fourteenth day of August, A. D. 1903, between the hours of twelve o'clock noon and five o'clock in the afternoon of the said day.

"The clerk of this court is hereby requested to furnish the Marshal of this District with a duly certified copy of this order, attaching thereto a duly certified copy of the sentence of this court made on the thirty-first day of October, A. D. 1902, which said order shall be returned by said Marshal with a full and true account of the execution of the same.

"ESTEÉ, Judge."

Tanbara received the unwelcome news in the same indifferent mood that has characterized him throughout, but with the addition of a vindictive scowl.

Seen by a representative of this paper last night in his cell, and asked if he fully understood his position, he replied: "Eh! too much scared! August fourteen, twelve 'clock, go hang up rope!" This was accompanied with an expressive shrug of the shoulders that told better than his broken English that he fully appreciated his situation. The condemned man says nothing that could be construed into an actual confession, but still intimates that the cook instigated the crime for which he is to forfeit his life in exolation. He says he was a Christian fifteen years ago in Japan and has asked to have the Rev. Mr. Motokawa of the Japanese Congregational church, visit him, which he is to do today. Tanbara also requests that the Japanese Consul visit him too as he wants him to "write letter to Mamma in Japan."

Tanbara is looking exceedingly well, is fleshy and shows he has had good care, although he explains that he is "Not fat, because just now too much scared; before eat one pound half rice one day. Just now quarter pound, no more." He has few wants and if he has any lingering hope does not express it. Stolid and stupid, he sits in the deepening shadow of the gallows, showing neither remorse for his wanton crime nor hope, or interest in the future, while in the lineaments of his sensual face there is not a trace of refinement or of the better impulses of humanity and the mere sight of him with the knowledge of his heinous crime makes one shudder instinctively.

Warden Henry has the gallows ready, and it will require but a short time to put the timbers together and the execution will be carried out in the same orderly manner that has attended all of these unpleasant affairs at the Oahu prison.

**SKIN TORTURES**

And Every Distressing Irritation of the Skin and Scalp Instantly Relieved by a Bath with CUTICURA SOAP

And a single anointing with CUTICURA, the great skin cure and preserver of emollients. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusty, and pimply skin and scalp humours with loss of hair, and has received the endorsement of physicians, chemists, and nurses throughout the world.



Rescued from Torture

**Millions of Women**

Use CUTICURA SOAP, exclusively, for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for ulcerated sores, and for many sensitive antiseptic purposes, which readily suggest themselves to women, the scalp and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from Cuticura, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in One Soap at One Price, the best skin and complexion soap, the best toilet soap and best baby soap in the world.

Complete External and Internal Treatment for Every Humour, Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA Resolvent, to cool and cleanse the blood. A Single Bath is often sufficient to cure the most torturing, disfiguring, and itching humours of the scalp, face, and body, with loss of hair, when all else fails. Sold throughout the world. Aust. Depot: E. T. Ford, Sydney, N. S. W. So. African Depot: LEWIS & LLOYD, Cape Town. "All about the Skin, Scalp, and Hair," free. FORTY DOLLARS AND CHEER, COOP., Sole Props., Boston, U. S. A.

**DR. J. COLLIS BROWNE'S CHLORODYNE**

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and re-peated to "ay it had been sworn to. See the Times, July 12, 1884.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. IS THE GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM; one dose generally sufficient.

Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cures short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, Hysteria.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations. N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the inventor, DR. J. COLLIS BROWNE. Sold in bottles, 1s 1/4, 2s 1/4 and 4s 6d, by all chemists. Sole Manufacturers, J. F. Davenport, 33 Great Russell St., London.

was held. The Salvation Army is strenuous in their efforts to say the least. A march was made through the streets at 2:30 P. M., which was followed at 3 o'clock by an inside service billed as a "Hosannah Meeting" conducted by Ensign Winters of Koloa. Six o'clock found the young people of the Army ready for the Young People's Legion at which Ensign Winters addressed them on the subject of "Faith."

A "Battle for Souls" was waged at the evening service. Major and Mrs. Harris were in the van and were ably seconded by their staff. It had been decided to carry out the program for the campmeeting in the Army hall on King street. This afternoon at 3 o'clock, Lieutenant Hutchinson of Hilo will have charge while tonight Ensign Underhill, the matron of the Rescue Home in this city, will tell of the work.

**AN EXPERT FORESTER MAY COME IN AUGUST**

(From Saturday's Daily)

H. E. Cooper, Superintendent of Public Works, found in his mail on returning from the Koolau districts a letter from Gifford Pinchot, Chief of the Bureau of Forestry in the Department of Agriculture, Washington, which proved to be of great public interest. Mr. Pinchot acknowledged the receipt from Mr. Cooper of a letter accompanied by a copy of the act of the Legislature creating the new Board of Agriculture and Forestry. Of the enactment he says that it seems to provide a good basis for the further extension of forests in this Territory.

The matter of his selection of a man to take control of the forests of these islands under the law, Mr. Pinchot goes on to say, is of such vital importance that he is giving it the most careful consideration. He believes, from a review of the situation as he understands it, that it would be advisable to send out William L. Hall, now in charge of the forestry extension work of the Bureau of Forestry. Mr. Hall would make a report on the Hawaiian conditions, and then Mr. Pinchot would be able to select a man for the permanent position. Mr. Hall could be in Honolulu early in August if the proposal meets the approval of the Board of Agriculture.

**GREAT GRUMBLERS**

Grumbling Will Cease if Honolulu People Follow This Advice.

Backache is the first grumbling warning. The kidneys give it. If you heed it not. Look out for trouble, it will surely come. Urinary trouble, kidney trouble and many miseries. Doan's Backache Kidney Pills are made for kidneys only. They cure every form of kidney ail. The experience of Honolulu people proves this.

Here's a case in point. Mr. F. Metcalf, of this city, gives us the following information: "I was afflicted with a painful feeling in my back for over five years. The various

remedies resorted to did me no good, until, falling in with the advice of a friend (Mr. W. J. Maxwell), I procured at the Hollister Drug Co.'s some of Doan's Backache Kidney Pills. I had hardly finished taking them when the pain left me altogether, and I now feel that I have been completely cured of the terrible suffering I underwent formerly. By keeping a box of the pills in the house I am fortified against any possible return of my complaint at future times. It seems almost miraculous that the pains should have vanished so speedily. All sufferers from backache should get some of Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are sold by all druggists at 50 cents a box, six boxes for \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Word has been received that direct messages from Barber's Point, over the wireless system, have been received at Mahukona.



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Stmr. Claudine, Parker, from Maui ports, with 202 sacks potatoes, 2 horses, 19 hogs, 112 pkgs. sundries.  
Sch. Ka Mo, from Paauilo, at 6 p. m.  
Br. sp. Carmanian, Bunn, 49 days from Newcastle.

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Per stmr. Claudine, from Maui ports, July 26.—Dr. Schulze, A. W. Dunn, P. Ohrt, Tang Young, Ah Young, Mrs. Yun Chap, Master Nieper, H. Gilles, H. C. Gilles, Master A. Young, Master D. Young, Mrs. W. O. Smith, L. A. Thurston, E. R. Stackable, P. Pail, J. D. Holt, Jr., W. E. Shaw, Mrs. J. O. Young and servant, Miss H. Hempstead, Miss Harriet Young, Miss Genevieve Young.

Per bark Mohican, July 24, for San Francisco Miss Alice Durrant, Mrs. A. Petrie, Mr and Mrs. Helise.

Per ship Hawaiian Isles, July 15, for Delaware Breakwater Percy Drew.

**HILLO SHIPPING.**  
Departing, July 22, Am. ship, Falls of Clyde, Matson, for San Francisco July 17, cleared, Am. bk. Amy Turner, Warland master, 4 passengers, with cargo of general merchandise for San Francisco Sugar Onomea, 23,997 bags, merchandise, \$182 85 Total value \$93,163 97.

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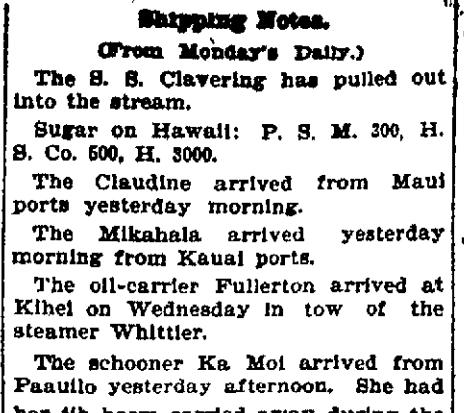
**KAUAI SHIPPING.**  
Bkt. Puako discharging coal at Ma-hawell and bkt. Koko Head at Elele will begin discharging coal this morning.

**BORN.**  
GOODHUE—At Koloa, Kauai, July 27, 1903, to the wife of Dr. E. S. Goodhue a daughter.

**Shipping Notes.**  
(From Monday's Daily.)  
The S. S. Clavering has pulled out into the stream.  
Sugar on Kauai: P. S. M. 300, H. S. Co. 500, H. 3000.  
The Claudine arrived from Maui ports yesterday morning.  
The Mikahala arrived yesterday morning from Kauai ports.  
The oil-carrier Fullerton arrived at Kihel on Wednesday in tow of the steamer Whittier.  
The schooner Ka Mo arrived from Paauilo yesterday afternoon. She had her jib boom carried away during the trip.  
The Lehua will sail for Molokai ports at 5 p. m. today.  
The S. S. Nebraskan is due to arrive from Seattle today.  
The S. S. Enterprise is due to arrive at Hilo tomorrow morning.  
The Ke Au Hou sails this evening for Kauai ports at 5 o'clock.  
The barkentine Koko Head is at Elele and will begin discharging coal this morning.  
Sugar on Kauai: K. S. M. 1550, M. A. K. 869, G. R. 39, McB. 13,892, P. L. 1620. Total 19,030.  
The Canadian-Australia steamer Aorangi is due to arrive from Brisbane, Suva and Fiji tomorrow.  
The S. G. Wilder will get away for San Francisco with a cargo of sugar probably tomorrow or the next day.  
The barkentine Coronado will probably sail for San Francisco some time today with a cargo of sugar.  
The ship Carmanian, which arrived yesterday from Newcastle, reports that on July 15 the German ship Alsterufer was spoken bound from Newcastle for San Francisco.  
The Noeua arrived from Honolulu early yesterday morning. One of her boats was capsized at that place on account of the rough weather. Thirty-two bags of sugar were lost.  
The British ship Carmanian, Captain Bunn, arrived from Newcastle yesterday with a cargo of coal for Hilo, Rolph & Co. She made the trip in forty-nine days and is anchored in the stream at present.  
Herbert Young arrived from Molokai Saturday in the gasoline schooner Brothers. The Youngs have been hunting for fishing banks along the shores of the island from the Leper Settlement to the light house. The weather was so rough this trip that the boat was compelled to return to Honolulu. Young will make another trip sometime this week.

The schooner O. M. Kellogg is at the Kekuanaoa wharf.  
The J. A. Cummins sails early this morning for Koolau ports.  
The barkentine S. G. Wilder will sail for San Francisco at noon today.  
The barkentine Coronado will probably sail for San Francisco tomorrow afternoon.  
The gasoline schooner Eclipse will sail for Maui and Hawaii ports at 5 p. m. today.  
The S. S. Alameda left San Francisco for Honolulu on time. She should arrive here next Friday morning.  
The S. S. Doric will probably arrive from San Francisco late tomorrow afternoon. She will have eight days' mail and newspaper files.  
The S. S. Aorangi is due from the Colonies early tomorrow morning. She will probably sail for Victoria and Vancouver late the same afternoon.  
The Kinau will sail for Hilo and way ports today at noon. The Claudine and the Mikahala will get away on their regular runs at 5 o'clock this afternoon.  
The S. S. Clavering will not get away for San Francisco until the latter part of the week. As yet the agents of Lloyd, T. H. Davies & Co., have not put up the necessary bond of \$50,000, and the Clavering will not be released until this is done.  
Captain Rodman will not leave on his trip to the other islands on the Iroquois for the purpose of correcting the sailing directions for vessels approaching these islands until next week. It was his intention to sail this week, but now he has decided to await the coming of Admiral Terry who is due here on the Alameda next Friday.  
The S. S. Nebraskan arrived from San Francisco via Seattle yesterday morning. The Nebraskan had a good trip except in Puget Sound where she anchored for a time on account of the fog. She brought 3,110 tons of general cargo for this port and 305 tons for Kahului. As she left Seattle July 15 and Tacoma July 18 she brought one day's later news. The Nebraskan will sail for Kahului tomorrow afternoon.

**THE HAWAIIAN GAZETTE CO. LTD. MANUFACTURERS.**



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**SEA STORE**

# CRAZY SAILOR BROUGHT TO THIS CITY IN IRONS

## Jumped Overboard and Bit Finger Off a Mate Who Tried to Rescue Him—Victim of Seaman's Union Violence.

The American schooner Schome, which arrived at Kahului on Friday, came into port short-handed with one man under arrest for mutiny, the cook and the steward refusing to do their work, and a crazy sailor in irons. The cause of the sailor's condition as told by the captain, involves tales of persecution by the Sailors' Union at one of the ports on Puget Sound, which were of such a nature as to eventually drive the sailor insane.

The Schome arrived at Kahului on Friday and came to an anchorage near the Claudine, which was about to sail for Honolulu. The vessel was a long time getting in as she was short several men. Soon after anchoring, the passengers on the Claudine saw a man appear on the deck of the schooner, and, although he was handcuffed, he ran to the side and threw himself overboard. A boat was lowered, from the Claudine but before it reached the man the mate of the Schome had jumped over with a rope. He got a blight around the sailor when the man suddenly turned on him and bit off his finger. The boat now picked the fellow up and took him ashore. The captain of the Schome considered that he had done all that was required of him and was willing to let the man go his way until Collector E. R. Stackable, who was on the Claudine, stated that he would have the captain arrested if he persisted in allowing an insane man, for whom he was responsible, go at large.

The captain of the Schome was aggressive but when he was convinced that he would get into trouble if he let the man go, he decided to send him to Honolulu alone, saying that the steam-

# ATTORNEY MAGOON ON TRIAL FOR MISCONDUCT

(Continued from page 5.)  
It was admitted by Mr. Magoon that Judge De Bolt if called would testify that the existence of the trust deed to R. W. Davis was not mentioned in the trial before him.

**THE CENTRAL FIGURE.**  
John K. Sumner was called but before he was questioned the respondent admitted a series of facts propounded by the Attorney-General. Mr. Sumner asked for an interpreter and Chas. L. Hopkins was called in. The morning after I got \$48,025 forget where I went, probably to Magoon's. Paid Magoon \$4,000; offered him \$2500 for his services, but Magoon told me he had done considerable services, and there was the case of Ah In pending, and he said he ought to receive more considering all the work yet to be done. Ah In case is not yet settled. At the time of the Robert suit was living with Maria (Mrs. Buffandeau), after that I left her place; Victoria advanced me \$2500; Magoon did not give me any money. I got a receipt from Magoon for the \$4000, have not the receipt with me. (Mr. Andrews requests him to bring it with him today.)  
It was here admitted by respondent that witness paid Geo. A. Davis \$2500 as associate counsel in Robert vs. Sumner.

**MAGOON'S LITTLE BILL.**  
Cross-examined—Money for my support came from Maria; she got \$10,000 from Davis (G. A.). Do not know that she used all that money up. Did not know that the money for my support came from you (Magoon) through Maria Davis. Yes, I paid you \$400 the other day, don't remember that Willie Davis told me it was money you advanced for my support, you had a bill against me. I am satisfied with the \$4000 I paid you, I told Mr. Andrews I was satisfied.  
Justice Perry—Why did you offer Mr. Magoon \$2500?  
Witness—That was the fee that I offered you (Magoon) first.  
Justice Perry—Why didn't you offer him more?  
MAGOON APPRAISES HIMSELF.  
Witness—Mr. Magoon told me afterward about all the work he had done and was doing for me. Answering the respondent, witness credited Magoon with getting the money out of the bank for him.  
Attorney-General—You generally pay lawyers what they ask you?  
Mr. Magoon objected and after slight argument the question was withdrawn.  
Justice Galbraith—Why did you pay Magoon \$4000 and Geo. A. Davis only \$2000?

**AFRAID OF THEM.**  
Witness—I was afraid that if I refused they might bring a suit against me.  
Chief Justice Frear—What did you offer Magoon \$2500 for the services in the Robert case or all these others?  
Witness—For all of his services.  
To Justice Perry—I first made the offer of \$2500. Don't know when Geo. A. Davis came into the case. My attorneys may have asked him to come, in, no I did not ask him to represent me.

**MIGHT DO HIM UP.**  
To Magoon—In the event you were not satisfied with what I offered you, I did not know what you might do to me.  
Q—You were afraid that if you did not pay me \$4000 I would sue you?  
A—Yes.  
Q—Did I not tell you that if you were not perfectly satisfied you should say

A—I had suggested to you \$2500 before that.  
Q—On my suggestion that you should pay me \$4000 you said you were perfectly satisfied, is not that so?  
**THOUGHT IT EXTORTIONATE.**  
A—I felt within me that the sum of \$4000 was too much, though I didn't say so.  
Q—But you did say that you were perfectly satisfied?  
A—I merely said that as an excuse because I did not know what might not be done to me.  
Q—Did you not refuse to pay Mr. Davis the sum of \$2500?  
A—I didn't refuse because he had done services the same as you.  
Q—Did you not pay Davis all he asked?

**DAVIS ALSO RAISED HIM.**  
A—I offered Mr. Davis \$1500 for his services but he refused to accept \$1500. He wanted \$2500. Davis said if I did not pay \$2500 he would stop the payment of money out of the bank.  
Q—So you can refuse to pay money when you want to?  
A—Yes I refused to pay him more than \$1500.  
Q—You stood on that refused for a long time?

**GAVE IN THROUGH FEAR.**  
A—I came away with Willie Davis and on the road I suggested to him that I was afraid and that I had better give Geo. Davis \$500 more.  
Q—What was the difference between my services at \$2500 and Davis's at \$1500?  
**HAD SIZED HIM UP.**  
A—If I had offered you \$3000 you probably would not have accepted it, you would probably have wanted more. I told the Attorney-General I paid the money because I did not want any lawsuit. It would be better for the court to distribute costs because lawsuits are something I don't know anything about.  
To Justice Perry—It was after the \$48,025 was paid over to me that I spoke to Magoon about his fee.  
To Magoon—Witness remembered when he received the check before Judge De Bolt and told in tones too low to be heard across the room the names of those he remembered present. He did not stay in court long after receiving the check; did not talk much with Judge De Bolt. Put the money into the First National Bank, took Geo. A. Davis to the bank with me and gave him a check for \$2000; put the book in my pocket and went to your office and had a talk about your fee; thought \$2500 was fair.

**QUESTIONED TOO FAR.**  
Q—Didn't you think \$4000 was fair when I asked you?  
A—I had to say yes, yes, it took about four or five minutes to settle the whole thing.  
This ended the testimony of Mr. Sumner, excepting that, as he retired, he was reminded by the Attorney-General to bring the receipt for the \$4000 with him today.  
The Court continued the trial until 1:30 this afternoon.

**SUMMER COMPLAINT** is the children's most dangerous enemy and the mother's most dreaded foe. Immediate and proper treatment is always necessary. Chamberlain's Colic, Cholera and Diarrhoea Remedy, given according to directions, is the most effective remedy known. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

# REAL ESTATE TRANSACTIONS

Recorded July 14.  
M de Colto & wf to Territory of Hawaii; D; por Lot 9, Ahualoa Homesteads, Hamakua, Hawaii; \$12.75. B 249, p 342. Dated June 13, 1903.  
M de Paiva to Territory of Hawaii; D; por Lot 11, Ahualoa Homesteads, Hamakua, Hawaii; \$47.32. B 249, p 342. Dated June 15, 1903.  
M P Soares & wf to Territory of Hawaii; D; por Lot 9, Ahualoa Homesteads, Hamakua, Hawaii; \$70.95. B 249, p 342. Dated June 15, 1903.  
M Nunes & wf to Territory of Hawaii; D; por Lot 8, Ahualoa Homesteads, Hamakua, Hawaii; \$79.10. B 249, p 344. Dated June 13, 1903.  
Maria de S Botelho to Territory of Hawaii; D; por Lot 12, Ahualoa Homesteads, Hamakua, Hawaii; \$14. B 249, p 345. Dated June 23, 1903.

M de Lugo & wf to Territory of Hawaii; D; por Lot 35, Ahualoa Homesteads, Hamakua, Hawaii; \$27.70. B 249, p 345. Dated June 15, 1903.  
M de Lima & wf to Territory of Hawaii; por Lot 38, Ahualoa Homesteads, Hamakua, Hawaii; \$10.75. B 249, p 345. Dated June 16, 1903.  
J J Andrade to Territory of Hawaii; D; por Lot 4, Ahualoa Homesteads, Hamakua, Hawaii; \$23.50. B 249, p 347. Dated June 15, 1903.  
M de Colto & wf to Territory of Hawaii; D; por Lot 12, Ahualoa Homesteads, Hamakua, Hawaii; \$23.71. B 249, p 348. Dated June 13, 1903.  
J de Costa to Territory of Hawaii; D; por Lot 7, Ahualoa Homesteads, Hamakua, Hawaii; \$19.50. B 249, p 349. Dated June 16, 1903.

A Joaquin to Territory of Hawaii; D; por Lot 13, Ahualoa Homesteads, Hamakua, Hawaii; \$35.55. B 249, p 349. Dated June 18, 1903.  
Wm R. Castle Tr to Wm C. Achi; D; por R P 2509, Kul 6450, Kalihi, Honolulu, Oahu; \$500. B 247, p 351. Dated June 23, 1903.

**BY AUTHORITY**  
**TERRITORY OF HAWAII.**  
Treasurer's office, Honolulu, Oahu.  
In re Dissolution of the Wolters Waldron Company, Limited.  
Whereas, the Wolters Waldron Company, Limited, a corporation established and existing under and by virtue of the laws of the Territory of Hawaii, has pursuant to law in such cases made and provided, duly filed in this office, a petition for the dissolution of said corporation, together with a certificate thereto annexed as required by law.  
Now, therefore, notice is hereby given to any and all persons that have been or are now interested in any manner whatsoever in the said corporation, that objections to the granting of the said petition must be filed in this office on or before the 28th day of September and that any person or persons desiring to be heard thereon must be in attendance at the office of the undersigned, in the Capitol Building, Honolulu, at 12 o'clock of said day, to show cause, if any, why said petition should not be granted.  
A. N. KEPOLKAI,  
Treasurer Territory of Hawaii,  
Honolulu, July 11th, 1903.  
2504 to Sept. 25th.

**COURT NOTICES**  
**IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.**  
In the Matter of the Estate of Harry Nunn, of Makaweli, Kauai, Deceased—Order of Notice of Hearing Petition for Administration.  
On reading and filing the Petition of Helen Nunn, of Makaweli, alleging that Harry Nunn, of Makaweli, Kauai, died intestate at Makaweli, Kauai, on the 13th day of May, A. D. 1903, leaving property in the Hawaiian Islands necessary to be administered upon, and praying that Letters of Administration issue to herself, the said Helen Nunn.  
It is ordered that Thursday, the 10th day of September, A. D. 1903, at 10 o'clock a. m., be and hereby is appointed for hearing said Petition in the Court Room of this Court at Lihue, at which time and place all persons concerned may appear and show cause, if any they have, why said Petition should not be granted, and that notice of this order be published in the English language for three successive weeks in the Hawaiian Gazette, newspaper in Honolulu.  
Dated at Lihue, July 9th, 1903.  
(Signed) J. HARDY,  
Judge of the Circuit Court of the Fifth Circuit.  
Attest:  
(Signed) JNO. A. PALMER,  
Clerk of the Circuit Court of the Fifth Circuit.  
2507—July 23, Aug. 4, 11.

**TRASK ESTATE.**  
**IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.**  
In the Matter of the Estate of David Trask, of Koolau, Kauai, deceased. Order of Notice of Hearing Petition for Allowance of Final Accounts, Distribution and Discharge.  
On reading and filing the petition and accounts of Hans Leeborg, Administrator of the Estate of David Trask, of Koolau, Kauai, deceased, wherein he asks to be allowed \$1,485 45 and be charged himself with \$2,000, and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all fur-

ther responsibility as such Administrator.  
It is ordered that Thursday, the 10th day of August, A. D. 1903, at ten o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said petition and accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this order, in the English and Hawaiian languages, be published in the Hawaiian Gazette and Kuokoa, newspapers printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.  
Dated at Lihue, this 5th day of July, 1903:  
By the Court:  
JNO. A. PALMER,  
Clerk.  
2508—July 14, 21, 28.

**FORECLOSURES.**  
**MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.**  
Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated December 20, 1900, made by Louis M. McKee and Aila Akai McKee, wife of said Louis M. McKee, both of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagees, to J. W. Leonhart, of Paauilo, Island of Hawaii, Territory of Hawaii, and recorded in the Registry Office, Oahu, in Liber 213, pages 439 to 442, the mortgagee intends to foreclose said mortgage for condition broken, to-wit: the non-payment of principal and interest when due.  
Notice is likewise given that the property conveyed by said mortgage will be sold at public auction, at the auction rooms of James F. Morgan, Queen street, Honolulu, on Saturday, the 8th day of August, 1903, at 12 o'clock noon.  
The property covered by said mortgage consists of:  
All those certain lots or tracts of land situate at Kapahulu, in said Honolulu, and described as follows:  
First: Lots 18 and 19 of Block 6A of Lot 31, said Lot 31 being a portion of Apana 82 of Land Commission Award 8559B; being the same premises conveyed to said Louis M. McKee by deeds of Wm. L. Peterson, dated respectively, July 17, 1900, and August 1, 1900, and recorded in the Register Office, Oahu, in Liber 209, page 346 and Liber 209, page 347 respectively; and  
Also: Lots 9 and 10 of Block 5A of said Lot 31, being the same premises conveyed to said Louis M. McKee by deed of C. S. Martin, dated December 18, 1900, and recorded in said Register Office in Liber —, page —,  
Also: Lot 3 of Block F, of Lot 33 of said Apana 32, Land Commissioners' Award 8559B; being the same premises conveyed to said L. M. McKee by deed of Paul Muhlendorf, dated April 16, 1898, and recorded in said Register Office in Liber 189, page 40;  
Second: Lots 10 and 11 of said Block 6A of said Lot 31; being the same premises conveyed to said Aila Akai by deed of C. W. Wynn, dated June 8, 1899, and recorded in said Register Office in Liber 200, page 131. Together with all the rights, easements, privileges and appurtenances thereto belonging.  
Terms: United States Gold Coin.  
Deeds at the expense of the purchaser.  
For further particulars apply to William O. Smith, Judd Building, Honolulu.  
Dated Honolulu, July 9, 1903.  
J. W. LEONHART,  
Mortgagee.  
By his attorney-in-fact,  
W. O. Smith.

**NOTICE TO CREDITORS.**  
**UNEA ESTATE.**  
The undersigned, John T. Unea, having been duly appointed Administrator with the Will Annexed of the Estate of Kiliina Unea (w), late of Kalahepa, Molokai, deceased, hereby gives notice to all persons to present their claims against the Estate of said Kiliina Unea, deceased, duly authenticated and with the proper vouchers, if any exist, whether such claims be secured by mortgage or otherwise, at the office of Smith & Lewis, Room 206 Judd Building, Honolulu, Oahu, within six months from the date hereof, or they will be forever barred.  
Dated Honolulu, Oahu, July 17th, 1903.  
JOHN T. UNEA,  
Administrator with the Will Annexed of the Estate of Kiliina Unea, deceased.  
Smith & Lewis and Louis J. Warren, Judd Building, Honolulu, attorneys for Administrator.  
2505—July 21, 28, Aug. 3, 10, 17.

**ASSIGNEE'S NOTICE.**  
T. MATSUDA OF KOLOA, KAUAI.  
The undersigned has this day taken possession of the place of business of T. Matsuda, of Koloa, Island of Kauai, under and by virtue of a certain deed of assignment for the benefit of creditors dated the 13th day of July, 1903. All claims against the said T. Matsuda must be presented to the undersigned at his office at Koloa, Island of Kauai, within sixty days from date.  
LOUIS KAHLEBAUM,  
Assignee of T. Matsuda.  
Koloa, Kauai, July 12th, 1903.  
2505—July 21, 28, Aug. 4, 11, 18.

**MOANA HOTEL.**  
**WAIKIKI BEACH.**  
RAPID TRANSIT ELECTRIC CARS arrive at, and depart from, the main entrance to the Moana Hotel every ten minutes.  
MOANA HOTEL CO., LTD.